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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 6, 2012.

I hereby appoint the Honorable LYNN JENKINS to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

WHY DOCTORS DIE DIFFERENTLY

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

Mr. BLUMENAUER. Recently, there has been a series of very powerful articles in the popular press about what we call ''end of life.'' The most recent was by Dr. Ken Murray in The Wall Street Journal last week, entitled, ''Why Doctors Die Differently.'' This series of articles focuses in on this end of life period—usually the most intense, the most painful, the most expensive. It's too often confusing for patients and their families. Too often, we find that people don't get the care they want and they need.

This has been a passion of mine for years now to make sure that families and patients are equipped to deal with the end of life. It was my legislation that was in the health care reform that was, unfortunately, not in the final legislation because the reconciliation process wouldn't allow the Senate to consider it in the House bill. We're working on it again with legislation entitled Personalize Your Health Care, H.R. 1589, to make sure that these provisions that are strongly supported by the public finally become law.

I think, perhaps, the best case that I have seen for this legislation is found by Dr. Murray in his article, ''Why Doctors Die Differently.'' It is a simple, powerful, two-page statement explaining the hows and whys.

Doctors actually do pass away, but they pass away differently. What is interesting is that, of these who are well off and connected to the medical care profession, it's not how much health care they get in their final months but actually how little. They do have more information than the average member of the public. They know their choices, and they act to make sure that their choices are respected. Doctors are more than three times likely than the average member of the public to have an advance directive that instructs families, doctors, hospitals how they want to be treated. That percentage is even higher for older doctors.

They know, for instance, in their last moments, most doctors don't want CPR performed on them. Unlike on television, where 75 percent of the CPR instances that the American public watches are successful and patients go on to lead happy, normal lives, doctors know that after the ribs are broken, which is what happens normally in CPR that's done properly, that fewer than 8 percent live even another month.

Doctors understand the facts. They tell their families. It's probably not accurate to say they get less care, but what is accurate is they get different care. They're more likely to use hospice services. They're more likely to have palliative care to make sure in their final moments they're not in pain. They're less likely to have invasive, painful, expensive treatment, particularly if they don't want it, because they've taken care of making sure that their wishes are known and respected.

Now, I don't want everybody to ''die like a doctor,'' but I do want everybody to have the knowledge and the power so that their wishes, whatever they are, are respected. It is time that Congress passes legislation to make sure the American public has the information and that their wishes, whatever their wishes may be, are respected, because those final months or weeks or days of life deserve to be gentle, thoughtful, respectful, and people having whatever care they and their families want.

I strongly urge my colleagues to look at H.R. 1589, Personalize Your Health Care.

AFGHANISTAN

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

Mr. JONES. Last week, Congresswoman BARBARA LEE and I asked for a classified briefing on Afghanistan. Really, the only thing I can say about the briefing, because it was classified, is that I will continue to come to the floor and to say let's bring our troops home from Afghanistan.

Also last week, we had two Army officers from Fort Bragg, North Carolina, who were in Afghanistan to train, and they were shot by the Afghan trainee at point blank range. This brings the

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count to 42 Americans who have been killed in Afghanistan while working with the Afghans to train them to be police and soldiers. When you factor in how many coalition troops have been killed, along with the Americans, it's about 70. It is a totally impossible situation, as well as the fact that we continue to spend $10 billion a month there.

I have beside me, Madam Speaker, a poster from the Greensboro News-Record in Greensboro, North Carolina. The headline is ''Get Out,'' and there is an honor guard bringing a transfer case off the plane. The sad thing is that the day is on a Sunday in February 2011, and we're now in March of 2012. We continue to spend money that we cannot even account for. We send auditors to Afghanistan to try to account for the $10 billion a month that is being given to Mr. Karzai so he can lead Afghanistan—buy some new roads and camps, I guess—while our troops are losing their legs, their arms, and their lives in a war that should be ended now, not later. We will, during the debate on the DOD bill in May, continue to try to bring amendments to the floor to bring some sanity to this involvement in Afghanistan.

As I mentioned many times, a former marine commandant has been my adviser on Afghanistan, and he continues to talk about the fact that we are wearing out our military, the equipment, our manpower. Yet, there is a threat growing in the Pacific that we seem not to pay any attention to.

Recently, JIM MCGOVERN and I and JOHN GARAMENDI and some others met with Lieutenant Colonel Danny Davis. He is an active duty reservist who has been to Afghanistan. He returned just a couple of months ago, and had been over there for almost 10 months. He has written articles saying that the Congress in these hearings with the military leadership is not getting the straight talk that we need to hear. Too many times they use the words: Well, the training of the Afghans is going pretty well, but it's fragile, it's real fragile.

□ 1010

Well, I'd like to say it's real fragile. No, it's even worse than that. You cannot predict what is going to happen in the country of Afghanistan. We had two marines from my district, Camp Lejeune, the Marine base in the Third District that I represent, that were over there.

About 3 months ago, Sergeant Baldus and Colonel Palmer—Colonel Palmer being from Cherry Point Marine Air Station and Sergeant Baldus from Camp Lejeune, also, like these two Army officers—were training in Afghanistan. They were having dinner with the Afghan trainees, and that night one of the trainees stood up and shot and killed both of them.

This is not fair to the American soldier, marine, sailor, airman, Navy, whatever, to continue to be in Afghanistan 11 years after it started. The money that we're going to cut here in America of the senior citizens and the children who need programs to have a better quality of life, we are going to cut their programs, but we are going to keep spending $10 billion a month in Afghanistan. It makes no sense.

Madam Speaker, before I close, I would like to encourage every Member of Congress—who has the authority, should they want to implement that authority—to read the National Intelligence Estimate on Afghanistan that was published in 2011. It is classified, but every Member of Congress can take 1 hour—it's about 55 pages, I've read it—and read it. You need to read it, and then maybe you can help us make better decisions here on the floor about what in the world are we doing in Afghanistan spending Uncle Sam's money that he doesn't even have. He has to borrow his money from the Chinese to pay Karzai.

Where does that make any sense? The American people do not think it makes any sense.

We did a teletown hall about a month ago, and 66 percent of thousands of people that were on that call said bring our troops home now. Now, I realize that's the Third District of North Carolina, the home of Camp Lejeune, Cherry Point Marine Air Station and New River.

Madam Speaker, I do want to close by asking God to please bless our men and women in uniform and ask God to continue to bless America.

HONORING JOHN OLIVER

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

Mr. DONNELLY of Indiana. Madam Speaker, today I rise to pay tribute to John Oliver, an outstanding American citizen who has shown commitment and service to his hometown of Plymouth, Indiana, our State, and our country.

A native of Newcastle in the United Kingdom, 50 years ago this month. John immigrated to the United States on March 19, 1962, when he was only 19. In 1975, he officially became a United States citizen. He is a dear friend, not only to me, but to people all around the country and around the world.

He began his journey in the manufacturing industry as a laborer for a small research and development firm. He moved to Plymouth, Indiana, to work for that company, ultimately becoming its president in 1977. Nine years later, John purchased the company and renamed it U.S. Granules, which today produces 50 percent of the world's granulated aluminum. With his leadership, U.S. Granules remains a leader in technology and in quality, and they have established customers on five different continents.

John's heart and soul, though, is with his family, his friends, and his service to his community. He has been a pillar of support for the children of Plymouth. Quietly, and without recognition, John endowed a fund to benefit the Plymouth High School speech team, a State leader in debate competition.

To further advance the strength of local schools, John has made donation after donation to help with the purchase of books for school libraries, leadership seminars for students, and the expansion of scholarship and other award programs. In addition, John maintains an intern program at U.S. Granules, and it provides work experience and scholarship assistance and a chance for our children to succeed and for their dreams to come true.

John has also been a supporter of youth baseball, in particular, American Legion Post 27, and he has also extended his support to the Indiana Baseball Hall of Fame. When he was inducted into the Indiana Baseball Hall of Fame in 2009, he humbly, as he always did, reminded everyone that his contributions were dedicated to his community's youth and to their future and that it was not about him.

John has also been an active board member of the Saint Joseph Regional Medical Center, where his work has helped provide vital health care for an entire region. He is a former director of the Indiana Manufacturing Association, the Marshall County Industrial Association, and the Plymouth Industrial Development Company. He has served as fundraising drive chairman for the Marshall County United Way and the Plymouth emergency vehicle fund.

John has also served in the United States Army Reserves. He exemplifies the promise and the spirit of America, that with hard work, determination, and love of country you can accomplish anything.

On behalf of the citizens of Indiana's Second District, I would like to salute John's character, his personal achievements, and his contributions to our community.

We are very lucky to have been touched by you, John, and for our lives to have been changed by you. Happy 50th anniversary as an American citizen. God bless you, and God bless the United States of America.

GAS PRICES AND PRESIDENT OBAMA'S ENERGY AGENDA

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, today, right now in America, around the dining room tables at home, there are two topics of discussion that I have to think are most pressing during that dinner conversation, and that is unemployment and price at the pumps; and, frankly, they're both related, very closely.

Madam Speaker, before being appointed to office, President Obama's

Energy Secretary Steven Chu stated: ''Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.''

Well, Madam Speaker, at the time of that statement, gasoline prices in Europe were $8 to $10 a gallon. Last week, the Energy Secretary made headlines when he seemed to say the administration's goal was not to lower gas prices. Considering the goal is not to lower gas prices, this may be the first time that the administration's energy policies match its rhetoric.

Now, despite the President's rhetoric about the need for increased domestic production of fossil fuels, to date, this administration has seemingly done everything it can to block production. But the purpose of these remarks is to highlight not the administration's statements but, instead, their policies.

Let's look at the record, starting with some positive things that happened just before President Obama took office and continuing through 2012 to present day, as shown on this graph.

First of all, July of 2008, at the peak of the 2008 gas price spike, President George Bush removed 18 years of Presidential Executive Orders restricting offshore oil and gas energy development. Prices began to fall immediately, almost overnight. Given the fact that not one additional barrel of oil was drilled, it was a message to the market, a strong message to the market that America finally recognized that the American taxpayers owned assets in oil and were willing to use them. What a message to the market it would be today, a similar message. But back in 2008, that's where we saw this drop begin to start.

Now, in September of 2008, just a couple of months later, Congress finally followed, after its 26-year ban on offshore drilling, to allow that to expire. Prices at the pump, as you can see, Madam Speaker, dropped dramatically, even more.

Then President Obama took office. February 2009, soon after, not long after inauguration, the administration rescinded oil shale lease plans put in place during the Bush administration to aid the production of oil in U.S. Government lands. These are lands that are owned by Federal taxpayers. President Obama's actions reduced production of oil in the United States Government lands, and we see what continues to happen with prices.

In June of 2010, the House Democrats passed a cap-and-trade national energy tax, which would have dramatically increased gasoline prices.

In November of 2009, the administration unilaterally shortened lease terms on some Outer Continental Shelf leases. Well, this policy not only discouraged oil and natural gas production, but also decreased much needed government revenues.

□ 1020

In March of 2010, the administration canceled the remaining lease sales in seas off the Alaska coast, eliminating development of reserves that the government estimates could be as large as 65 billion barrels of oil.

In May of 2010, the administration canceled the Virginia offshore lease sale, which had bipartisan support from the Virginia Governor and the Virginia congressional delegation. The administration also canceled the remaining 2010 Gulf of Mexico lease sales.

In December of 2010, the administration extended the moratorium on leasing off the Atlantic and eastern Gulf of Mexico through 2017.

In January 2012, President Obama rejected the Keystone XL pipeline. Estimates show that the Keystone XL pipeline would add 1.1 million barrels a day of friendly Canadian oil to our Gulf of Mexico refineries.

Madam Speaker, moving forward with a credible energy policy can only be achieved if we all have a shared understanding of the facts. Global demand for oil is increasingly driven by developing economies such as China and India. In the U.S., our demand is down 6 percent year after year, and prices are still skyrocketing. And it's going to stay that way.

Eighty-five percent of the world's energy consumption comes from hydrocarbons—oil, coal, and natural gas. While renewable energy is needed and new consumption efficiencies should be encouraged to meet future energy demands, hydrocarbons will be the dominant source of fuel for the world's economy for many decades to come. No one can deny that before we can create an energy supply that is substantially more diversified, we are going to need more fossil fuels to get us there.

We're not running out of Natural Gas. In 2000, shale gas represented just 1 percent of American natural gas supplies. Today, it is 30 percent and rising.

We are not running out of oil. Former CEO of Shell, John Hoffmeister, stated last week on State of the Union, "We use 20 million barrels a day every day in a full economy in this country. We only produce 7. We used to produce 10. Let's go back to 10. We know how to produce 10. We have the oil to produce 10 for decades to come."

Unfortunately, this Administration is preventing the U.S. from developing additional energy supplies to meet our demand. As a result, families are struggling with rising energy costs and higher gas prices at the pump.

Madam Speaker, these are the facts and the solutions are within our reach.

STOP BEING ACCESSORIES TO CRIME

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

Mr. COHEN. Madam Speaker, I came here to speak about a topic which I will address shortly, but I couldn't not take the moment to reflect on the passing of a great man who served in this Chamber since 1989, Representative DONALD PAYNE of New Jersey, who passed away this morning. Representative PAYNE sat in this section, was a quiet, righteous, courageous man with whom I had the good fortunate to travel at the request of and sponsorship of CARE and the Gates Foundation to Rwanda and to the Congo last August.

He cared about children greatly. He cared about education. He cared about people, and was very upset some years back when Don Imus, the radio shock jock, said some wrongful things about the Rutgers women's basketball team that cost Mr. Imus his position. And that brings me to what I was going to speak about today.

Yesterday, I mentioned that I slept well on my Sleep Number bed, and I slept well on my Sleep Number bed last night because they canceled their advertising on the Rush Limbaugh show. I mentioned that advertisers are accessories to the crime when radio people go too far and destroy someone's character, or try to, and make libelous statements. Limbaugh did that when he called Sandra Fluke some names, said she did some things or whatever, that were wrong, totally wrong.

Eleven advertisers have pulled their advertising because they don't want to, in the future, be accessories to such conduct. Talk radio has gone way over the top in this country, doing anything for ratings and money.

It came to my attention that two radio stations have dropped Rush Limbaugh, and it's not just advertisers but it's radio stations that are accessories to the fact of this type of crime. It's not like we don't know it's coming because it's been out there for people to see for years, and they've sat by as this type of lies and hateful speech and wrongful speech has taken place on the radio, Rush Limbaugh being the main violator of people's rights.

I decided last night in my elections to come—and I've got a primary and a general—I've always bought billboard advertising, and Clear Channel almost has a monopoly in my city on billboards, and they have Rush Limbaugh on their network, that until they drop Rush Limbaugh, I'm not going to buy billboards for my campaign.

I'm also going to discontinue radio advertising on Clear Channel, which I've done in the past. It might hurt me a little bit politically, but it's the right thing to do. That type of conduct should not be advanced on the airwaves that are supposed to be for the public good. It's interesting to note that Don Imus' comments were about women, and Rush Limbaugh's comments are about women. It seems to be fair game sometimes for men on radio to take on women and cast aspersions.

Don Imus learned his lesson, and he said that Rush Limbaugh's apology was inadequate and weak and cowardly, and indeed it was. He hasn't called the lady. He hasn't come to Georgetown University and made amends to all those women whose character he impugned in misogynist statements, and he hasn't given a proper apology. He said he used inappropriate

words. He was on an inappropriate topic. And Mitt Romney certainly didn't rise to the occasion when he said they weren't the words he would have used. It wasn't an area that anybody should have brought up or even thought about.

Limbaugh said that the woman wanted to be paid for sex because she, in his thoughts, wanted contraception so she could have sex without the fear of pregnancy. It's funny, Rush Limbaugh never questioned anybody getting a vasectomy, for what's the use of a vasectomy, that's covered by insurance, but to have sex without the fear or possibility of pregnancy. He said because she wanted sex paid for by the taxpayers that he ought to be able to watch it. Well, I wonder if he wants to watch all the men who had vasectomies have their sex.

There's something wrong in the country, and the advertisers and the radio stations are responsible, and they need to take appropriate moral and ethical action and not continue to be accessories to the fact and support such trash.

CONTINUING IRANIAN THREAT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Mrs. ADAMS) for 5 minutes.

Mrs. ADAMS. Madam Speaker, I come to the floor today to speak about the continuing Iranian threat to the United States and Israel.

Just as the President of Iran continues to spew his vile poison into the civil discourse of the United Nations, the regime of the Ayatollah issued a threat of violent aggression 2 weeks ago against Israel through the deputy head of the armed forces.

Through its actions, Iran has proven that it will never work with the peaceful nations of the world community. In fact, in yet another affront to diplomacy, Iran recently offered to allow inspectors from the IAEA into the country only to refuse them entry into the most important facilities to examine those nuclear sites in dispute.

The threat of a nuclear-armed Iran is not only a threat to Israel; it is also a direct threat to the United States and to the entire world community. Just this week, the chief of the International Atomic Energy Agency said there were unspecified activities at an Iranian military site which inspectors wanted to visit.

The Iranian regime has publicly threatened to close the Strait of Hormuz, a major shipping route for Middle Eastern nations to export oil and supply the world's energy needs. This threat by Iran amounts to economic warfare, as the closure of the Strait of Hormuz would trigger spikes in crude oil, gasoline bottlenecks in the supply chain, increased prices for all manufactured goods, and would likely lead to massive increases for gas here in the United States.

At a time when our domestic economy is struggling to recover, the last thing hardworking Americans need is for gas prices to soar even higher.

While drastic reductions in the supply of crude oil would be devastating to the world economy, the threat of a theocratic, unstable Iranian regime bent on the destruction of Israel and its allies is even worse. A nuclear Iran will not care about economic sanctions. A nuclear Iran will not care about diplomacy. A nuclear Iran will not negotiate in good faith. And a nuclear Iran will not be a friend of the United States.

Perhaps the greatest threat to peace and security in the world is the refusal to heed the warnings of the most violent and dangerous regimes when they tell us what their exact intentions are. My hope is that it will not be a mistake of this Nation, one that this Nation makes with this regime in Tehran. Again, my hope is that it will not be our mistake not to pay attention to the signals from the regime in Tehran.

□ 1030

THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY DRAFT REPORT ON VIEQUES, PUERTO RICO

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

Mr. PIERLUISI. Madam Speaker, I rise to discuss a subject of great importance to me, to the people I represent, and to many of our fellow citizens around the country, and that is the health of nearly 10,000 residents of Vieques, Puerto Rico.

The people of Vieques sacrificed as much as, if not more than, any other U.S. civilian population to advance our military readiness. In the 1940s, the Federal Government expropriated lands on Vieques for use by the Navy. For over 60 years, the Navy conducted training operations on eastern Vieques, including ship-to-shore bombing, aerial bombing, and ground-based exercises. The Navy has reported that it dropped between 3 and 4 million pounds of ordnance on Vieques each year between 1983 and 1998.

Training operations on Vieques ceased in 2003, in part due to concerns about the risks to safety, health, and the environment posed by decades of weapons use. The Navy is now administering the cleanup of Vieques with support from other Federal and local agencies. In 2005, the EPA listed Vieques as one of the most hazardous sites in the U.S. To date, over 35,000 munitions on Vieques have been recovered and destroyed, including at least 19,000 live munitions.

Unfortunately, numerous studies have shown that residents of Vieques have higher rates of cancer and other chronic illnesses than residents of mainland Puerto Rico, raising serious questions about whether there may be a link between those health problems and the island's long use as a military training range.

In December, the Agency for Toxic Substances and Disease Registry, an agency within HHS, released a draft report that addresses whether there is evidence of a causal relationship between the identified health problems and the Navy's activities. ATSDR examined five ''pathways'' through which residents of Vieques might have been exposed to harmful contaminants: air, soil, fish, local produce and livestock, and drinking water. The conclusion reached by ATSDR in its draft report is generally the same as the conclusion reached by the agency in a series of controversial public health assessments it conducted on Vieques about a decade ago, specifically, that the available data does not establish that the contaminants in these pathways, some of which can be linked to military activities, were at levels expected to cause the reported health problems.

Because the draft report leaves many crucial questions unanswered, today I'm filing extensive comments that I urge ATSDR to address before its report is finalized. My comments are intended to be constructive, because my constituents deserve a meticulous evaluation of the draft report aimed at producing concrete action by the Federal Government.

In my comments, I note that ATSDR repeatedly acknowledges that its conclusions are not definitive, or even close to it, because the available data upon which the agency relies is incomplete in many respects. While ATSDR recommends that further studies be conducted to fill certain data gaps, the agency does not go far enough.

In 2009, ATSDR stated that it expected to recommend biomonitoring to determine whether, and to what extent, residents have been exposed to harmful chemicals. Yet, in a startling reversal, the agency has now stated that ''it is not recommending a comprehensive, systematic biomonitoring effort at this time.''

Given the health problems on Vieques and the potential link between those problems and military activities, such an action is misplaced. Therefore, I have urged ATSDR to recommend a comprehensive biomonitoring investigation. More generally, I have encouraged ATSDR and other Federal agencies, working in partnership with independent researchers, to take a more active and assertive role in designing, implementing, and especially funding the additional studies that are still needed to determine the nature and potential causes of the health problems being experienced by residents of Vieques.

It is unacceptable that more than a decade after ATSDR completed its first public health assessments on Vieques, fundamental questions about the safety of the island's environment and the health of its residents remain unanswered. My constituents deserve better.

TOMB OF THE UNKNOWNS

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

Mr. STIVERS. Madam Speaker, I've served for 26 years in the Ohio Army National Guard and had the pleasure of serving with many brave men and women over the years, including a tour of duty in Operation Iraqi Freedom. As a member of the armed services as well as a Member of Congress, I was shocked and horrified last year by reports of the Dover Air Force Base mortuary sending veterans' remains to the Prince George landfill.

The Washington Post reported on December 7, 2011, that they uncovered ''976 fragments from 274 servicemembers that were cremated, incinerated and taken to the landfill between 2004 and 2008.'' This is an outrage. It disrespects our men and women in uniform, and it can't be allowed to stand.

The first step to fixing this is creating a proper memorial for those who have served our country so well and given their last measure of devotion. I'm working on legislation to create a Tomb of the Unknowns at Arlington National Cemetery for every conflict moving forward. This plan will be paid for by taking money from the Air Force, because that's where the poor decisions were made. I plan to introduce this legislation very soon.

To those who have given their final measure of devotion in service to our country, they deserve a final resting place worthy of their dedication, commitment, and devotion, and we need to give that to them.

God bless the United States of America.

[From the Washington Post, Dec. 7, 2011]

AIR FORCE DUMPED ASHES OF MORE TROOPS' REMAINS IN VA. LANDFILL THAN ACKNOWLEDGED

(By Craig Whitlock and Mary Pat Flaherty)

The Air Force dumped the incinerated partial remains of at least 274 American troops in a Virginia landfill, far more than the military had acknowledged, before halting the secretive practice three years ago, records show.

The landfill dumping was concealed from families who had authorized the military to dispose of the remains in a dignified and respectful manner, Air Force officials said. There are no plans, they said, to alert those families now.

The Air Force had maintained that it could not estimate how many troops might have had their remains sent to a landfill. The practice was revealed last month by The Washington Post, which was able to document a single case of a soldier whose partial remains were sent to the King George County landfill in Virginia. The new data, for the first time, show the scope of what has become an embarrassing episode for vaunted Dover Air Base, the main port of entry for America's war dead.

The landfill disposals were never formally authorized under military policies or regulations. They also were not disclosed to senior Pentagon officials who conducted a high-level review of cremation policies at the Dover mortuary in 2008, records show.

Air Force and Pentagon officials said last month that determining how many remains went to the landfill would require searching through the records of more than 6,300 troops whose remains have passed through the mortuary since 2001.

''It would require a massive effort and time to recall records and research individually,'' Jo Ann Rooney, the Pentagon's acting undersecretary for personnel, wrote in a Nov. 22 letter to Rep. Rush D. Holt (D–N.J.).

Holt, who has pressed the Pentagon for answers on behalf of a constituent whose husband was killed in Iraq, accused the Air Force and Defense Department of hiding the truth.

''What the hell?'' Holt said in a phone interview. ''We spent millions, tens of millions, to find any trace of soldiers killed, and they're concerned about a 'massive' effort to go back and pull out the files and find out how many soldiers were disrespected this way?'' He added: ''They just don't want to ask questions or look very hard.''

Senior Air Force leaders said there was no intent to deceive. ''Absolutely not,'' said Lt. Gen. Darrell D. Jones, the Air Force's deputy chief of staff for personnel.

This week, after The Post pressed for information contained in the Dover mortuary's electronic database, the Air Force produced a tally based on those records. It showed that 976 fragments from 274 military personnel were cremated, incinerated and taken to the landfill between 2004 and 2008.

An additional group of 1,762 unidentified remains were collected from the battlefield and disposed of in the same manner, the Air Force said. Those fragments could not undergo DNA testing because they had been badly burned or damaged in explosions. The total number of incinerated fragments dumped in the landfill exceeded 2,700.

A separate federal investigation of the mortuary last month, prompted by whistleblower complaints, uncovered ''gross mismanagement'' and documented how body parts recovered from bomb blasts stacked up in the morgue's coolers for months or years before they were identified and disposed of.

The problems also transpired at a time when the mortuary was shielded from public scrutiny. News coverage of the return of fallen troops to Dover was banned by President George H.W. Bush in 1991 before the first Persian Gulf War. The ban remained until April 2009, when the Obama administration lifted it.

The Air Force said it first cremated the remains and then included those ashes in larger loads of mortuary medical waste that were burned in an incinerator and taken to a landfill. Incinerating medical waste is a common disposal practice but including cremated human ashes is not, according to funeral home directors, regulators and waste haulers.

Air Force officials said they do not know when the landfill disposals began. They said their first record of it is Feb. 23, 2004. The mortuary database became operational in late 2003.

The Air Force said mortuary leaders decided to end the practice in May 2008 because ''there was a better way to do it,'' Jones said. The military now cremates unclaimed and unidentified body parts and buries the ashes at sea.

Jones said the Air Force did not need to inform relatives of troops whose remains ended up in the landfill because they had signed forms stipulating that they did not wish to be notified if additional remains were identified. The forms authorized the military to make ''appropriate disposition'' of those subsequent remains.

Asked if the landfill was a dignified final resting place, Jones said: ''The way we're doing it today is much better.''

Gari-Lynn Smith, the widow of an Army sergeant killed in Iraq, said she received an e-mail in July from Trevor Dean, the mortuary director, saying that incinerated remains had been taken to landfills at least since he began working at Dover in 1996. Dean is one of the officials facing discipline for his role in the reported mismanagement at the mortuary.

Smith's husband, Sgt. 1st Class Scott R. Smith, a member of a bomb-disposal unit, was killed on July 17, 2006. In 2007, she began asking the military what happened to some of his remains that were identified after his funeral.

After four years of letters, phone calls and records requests, she received a letter from the mortuary in April stating that the military cremated and incinerated those partial remains and disposed of them in the King George landfill.

''I hope this information brings some comfort to you during your time of loss,'' read the letter, signed by Dean.

Smith was infuriated. ''They have known that they were doing something disgusting, and they were doing everything they could to keep it from us,'' she said in a phone interview.

In May 2008, then-Defense Secretary Robert M. Gates ordered a detailed review of policies at Dover after an Army officer complained that the mortuary had cremated a fallen comrade at a nearby funeral home that also cremated pets in a separate chamber.

The review team ordered changes, emphasizing the need to ensure the highest levels of dignity and honor.

The Pentagon would not release the report, which was overseen by David Chu, who was undersecretary of defense for personnel. A copy obtained by The Post, however, shows that the landfill disposal practice was never reviewed or mentioned. Chu, now president of the Institute for Defense Analyses in Alexandria, declined to comment.

Private contractors hired by the Air Force to handle the remains' incineration and disposal of the residue said they were unaware that they were transporting the ashes of dead troops. Records show that the Air Force hired the contractors to dispose of medical waste and did not specify that cremated body parts were included.

MedTrace Inc. of North East, Md., had Air Force disposal contracts between 2004 and 2007, records show. Don Holland, a manager for the company, said his employees picked up boxes of sealed containers from the Dover mortuary.

''They were certified as medical waste that had been properly treated—that's it,'' Holland said. ''We don't go looking at what's in there. It's sealed.''

MedTrace took the items to an incinerator in Baltimore, according to state records in Delaware, where the mortuary is located. Holland declined to discuss the incineration and which landfill his company used.

Lisa Kardell, a spokeswoman for Waste Management, which operates the King George landfill, said the firm has no record of a contract with MedTrace for the years 2003 through 2008.

She said that Air Force officials have not returned calls over the past two weeks from her company's attorneys, asking which haulers would have been handling the Dover materials and the disposition of the ashes.

''Obviously, we would be opposed to taking cremated remains of our servicemen and servicewomen and putting them in our landfill,'' Kardell said. ''But it sounds like a lot of us were pulled in unknowingly to this unfortunate situation with the Air Force,'' she added.

''It's a moral thing,'' said Jeff Jenkins, the manager of the King George landfill. ''Someone killed overseas fighting for our country,

I wouldn't want them buried—any part of them—in the landfill.''

WOMEN'S HISTORY MONTH AND A WOMAN'S RIGHT TO CHOOSE

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

Ms. RICHARDSON. In this month of March, as we celebrate Women's History Month, I would like to take a moment to recognize some of our great female leaders who, throughout history, have persevered in the face of monumental opposition and successfully have accomplished great things on behalf of the American people.

From the words of the great poet, Maya Angelou, from the beautiful singing voice of Marian Anderson, from the tireless activism of Dolores Huerta, to the groundbreaking leadership of Secretary of State Hillary Clinton, Secretary of Labor Frances Perkins, and, of course, our own Democratic leader NANCY PELOSI, these women and many more have played an integral role in the history in this Nation.

Madam Speaker, every day, women take great strides to help others and to improve the quality of life for everyone. Unfortunately, in matters involving health care, women are still facing these challenges. Whether it's on the Senate floor last week during a debate on the Blunt amendment or whether it's during a House Committee on Oversight and Government Reform hearing, women continue to face unwarranted attacks on their reproductive health rights and their access to contraceptives.

More disconcerting, these debates and veiled attacks have escalated beyond misguided attempts to repeal the Affordable Care Act. Now they've taken aim at restricting women's choices in the area of reproductive health altogether. This is wrong. Medical decisions about a woman's health must leave the political arena and be left to the discretion of the patient and their doctor, not employers, and certainly not the government.

It is astonishing and disappointing that more than 50 years after the landmark Supreme Court decision in Griswold v. Connecticut, a decision which found that women have a constitutional right to use contraceptives, continued attacks on women's rights of privacy and health care still persist, and at an alarming rate.

The American people want us to work towards addressing their top priority: creating jobs, not their reproductive rights. However, this Congress seems to be more focused on bringing forward legislation that targets women's access to basic health care. In this Congress alone, we've taken eight votes on antiwomen health legislation.

A 2011 Guttmacher Institute study found that over 90 percent of women, and over 90 percent of Catholic women, between the ages of 15 and 44 have used some sort of birth control at some point during their lives. Birth control can cost up to $600 a year. So for a college student, a woman who's had multiple children and is still in childbearing years, low-income women or those who are underinsured, insurance coverage means the difference between accessing contraceptive services or not.

□ 1040

Quite simply, Madam Speaker, all women should have the choice and access to contraception and have the resources no matter where they work, where they live, or where they go to college. This is why I'm proud to support President Obama's Affordable Care Act, which I voted on, which will make a positive impact on women and children in their access to health care and greatly decrease the number of women and their families who are uninsured or underinsured.

Studies have shown that women who have health insurance don't always receive the medical care they need because their policies don't cover certain services or the women simply can't afford the high deductibles and copayments. The Affordable Care Act changes this unfortunate reality by assisting women in gaining access to basic preventive health care in order to prevent life-threatening diseases in the future.

Our country is facing great challenges. People need jobs. Students need affordable education. Seniors and working families need affordable health care. But one thing we don't need is to continue to waste time debating extreme legislation that is dangerous to women's health, disrespects the judgment of American women, and is nothing less than the most comprehensive and radical assault on women's health in our lifetime.

Madam Speaker, as people all over America pay tribute during the month of March to the generations of women who have committed to progress and have proved invaluable assets to our society, let us in Congress renew our commitment to support women—not with certificates at banquets, but by working to ensure equal treatment of all women in society, providing women with equal access to health care, and protecting women's rights, and their families, to choose once and for all their own health care.

HOOSIERS MAKE INDIANA PROUD

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

Mr. YOUNG of Indiana. Madam Speaker, I rise today because I've never been prouder to call southern Indiana home. Late Friday afternoon, in our part of America, a disaster brought neighbors together, turned strangers into friends, and reminded us all what it means to be part of a community.

Over the course of several hours, fierce winds, softball-sized hail, and deadly tornados descended upon southern Indiana communities, leaving behind a 50-mile path of destruction from New Pekin to Chelsea and beyond. Our people are still assessing the costs, but we know this much: 13 Hoosiers have died, scores have lost their homes and businesses, and citizens across the region have suffered untold damage to their personal and public property.

As hard as it is to imagine, the tragedy might have been worse were it not for the bravery and resilience of rank-and-file Hoosiers. Our firemen, policemen, EMTs, and local officials deserve our thanks. Those who serve in Indiana's National Guard, our State police, and our Department of Homeland Security stepped up, too. From the initial response through the ongoing efforts today, their service has been exemplary.

But it has been concerned citizens, so-called ''ordinary'' Americans who have restored a measure of stability to a region pummeled by forces beyond our control. There was a bus driver in Henryville who, in the nick of time, rushed dozens of children back to school to protect them from the approaching twister. There were the EMTs off Interstate 65 who saw a woman thrown from her car and saved her from being pummeled by hail by dragging a large metal sign across the road and holding it over her. They likely saved her life.

There were parents and friends and even strangers across southern Indiana who, as danger approached, took a moment to extend a hand to others and said, Come inside, we'll find room. After the storms left their mark, Hoosiers immediately turned to accounting for loved ones and comforting neighbors.

The damage was and is severe. One tornado—by some accounts a half-mile wide—carved a clear path through southern Indiana, ripping trees out of the Earth, hurling automobiles and combines long distances, severing power lines, and decimating countless homes and businesses. Here, again, Hoosiers didn't sit around and wait for others to help us out. We got to work.

Now, over the weekend I spent time surveying the damage and meeting with those who lost the most. Everywhere I visited, I met citizens wearing work boots and work gloves who were busily beginning to sort through the piles of rubble. I met others who had fired up their chainsaws and were clearing debris from roadways. I saw clusters of cars and pickup trucks parked outside homes that were hit hardest.

In the aftermath of such a tragedy, one would be forgiven for asking: Why me? But I never heard it. Instead, time and again I heard Hoosiers sympathize with those who lost more than they. And more than one person told me that, in the end, stuff doesn't really matter; it's people that are important.

I heard sincere, caring people ask their neighbors: How can I help? In

Henryville, a pizza shop was mostly destroyed, except for the freezer. The couple who owned it, rather than worrying about the loss of their business, asked officials how they could donate food from the freezer to those who needed it most.

In Marysville, the local Christian church remains intact, but little else. Pastor Bob Priest told me their decades-old building is no longer structurally sound, but the congregation has never been stronger.

For those of us who have seen the scale and scope of destruction up close, we know the path back will not be easy, but we will fix all that Mother Nature broke. Government at all levels will and must be there to help, from local authorities, to the State of Indiana, to our congressional offices. My staff and I, in particular, are eager to connect our constituents to whatever Federal services and funds might be available to help them get their lives back on track. But make no mistake, it will be the people of Indiana, the people of tight-knit communities like Henryville, Marysville, Chelsea, and New Pekin, who will rebuild their broken lives.

Now, during these tough times, Hoosiers are reminding us what it means to be a community of citizens—one Nation under God, indivisible, come what may. That sense of community has always bound Americans together in tough times, and it will get us through this tragedy as well.

May God be with those Americans who are putting their lives back together. We're praying for you and here for you.

VOTE ''NO'' ON AMERICAN ENERGY AND INFRASTRUCTURE JOBS ACT

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

Mr. CONNOLLY of Virginia. Madam Speaker, last month, the House Republican leadership commemorated Valentine's Day by planning a shotgun wedding between transportation reauthorization and the Arctic National Wildlife Refuge; between highway funding and Federal pension cuts. Many Members of this House spoke for and against this troubling bill, but I think it's time Congress started listening to the people.

Consider what my constituents wrote me when they asked me to oppose this transportation disinvestment plan. One concerned citizen in Vienna said:

> I'm writing to urge you not to support the proposed American Energy and Infrastructure Jobs Act. This bill is anti-jobs, anti-business, anti-transit, and anti-environment. It slashes funding for transit, guts our Nation's environmental laws, and green-lights a set of controversial and damaging new drilling projects, including in the Arctic National Wildlife Refuge.

The director of a nonprofit in Dumfries, Virginia, worried about the utter lack of transit support in the proposed legislation, wrote:

> I can tell you from firsthand experience that this proposal would have a profoundly negative impact on the ability of our clients to go about their daily lives. Many clients use public transportation to access our services, seek and hold employment, and remain independent. This legislation puts jobs and the services this agency provides to vulnerable populations at risk.

A constituent from Prince William County bemoaned the dearth of transit investments and commented:

> For nearly 30 years, beginning with President Reagan, a portion of Federal motor fuels tax revenues has been dedicated to public transportation investment under Federal law. These revenues are a dependable and predictable source of funding and should remain dedicated to public transportation. The House Ways and Means plan would eliminate this reliable funding source and provides no funding for public transportation after 2016.

A senior citizen from Springfield, Virginia, worried about the impact of this legislation on alternative transportation options, said:

> I strongly encourage you to vote ''no'' on H.R. 7. I am 65 years old and have spent the last 10 years of my life utilizing the paths and trails around Fairfax County and this area of the country for safe biking and exercising. Their existence has been critical to my efforts to improve my personal health. These trails cost so little compared to building highways and using automobiles and have tremendous benefits to all of us. Please do not allow this bill to halt the great progress that this country has made in its trails. Please vote ''no'' on H.R. 7.

□ 1050

A constituent from Gainesville, Prince William County, Virginia, where they have one of the longest daily commutes in America:

> I am writing in opposition to the proposal to pay for any of H.R. 7 through cuts to Federal workers' pay and benefits. I urge you to vote against any plan that unfairly targets Federal workers and retirees to pay more for their fair share. Our nation's Federal workers are already doing their part to address America's deficit problem, which they did not cause. Their pay freeze will have contributed over $60 billion to debt reduction.

A constituent from Fairfax echoed those concerns:

> Congressman Connolly, I am contacting you about H.R. 7. I'm disgusted and appalled that those in public service are being targeted yet again to fix Federal budget shortfalls they didn't cause. As a Federal employee, I'm acutely aware of the shared sacrifices Federal employees have made in these turbulent times. I appreciate your support and representation in defeating this bill.

Madam Speaker, my constituents make a compelling case. Americans are looking for a long-term solution to transportation. Like any successful relationship, this one must be balanced, with sustained investment in highways, transit, and non-motorized transportation. We can't slash funding in 45 of the 50 States, including my home State of Virginia, while eliminating all dedicated funding for transit and hope to solve our transportation problems.

I urge my Republican colleagues, junk this bill. Let's start over again and work in a bipartisan fashion for transportation in America for the benefit of all of our citizens.

REMOVE THE FOREIGN TERRORIST ORGANIZATION DESIGNATION FROM THE MEK

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

Mr. POE of Texas. Madam Speaker, for nearly a decade the United States has invested money, sweat, blood and tears, all in the name of a free and democratic Iraq.

Before the war, Iraqis suffered from the oppressive dictatorship of Saddam Hussein, and recent events have led me to believe that perhaps the new government does not value freedom any more than the last one did.

As a Member of Congress, I've been fortunate to go to Iraq several times to visit with our troops. And during my last visit with a bipartisan congressional delegation, we also met with Iraqi Prime Minister Maliki. During the 2-hour-long discussion covering many things, I asked one question: ''Can we go see Camp Ashraf?''

Now, Madam Speaker, Camp Ashraf houses Iranian dissidents who are called the MEK, and I represent a good number of Iranian Americans who have family members in this camp. They are particularly worried at this point in time, since Iraqi forces had recently killed 36 residents at the camp just a few weeks before. Here are the pictures of those real people that were killed by the Iraqi forces that came into the camp.

Here is an example. You notice this is an American-made HUMVEE coming into the camp. And over here on this far picture, you see an Iranian dissident being run over by one of those HUMVEES driven by an Iraqi soldier.

So that is why the question was asked: can we go see the camp and see these Iranian dissidents? And of course, Maliki said, ''no way that's going to happen.'' It left me wondering why he would refuse to let us see and talk to these people and get the other side of this invasion by the Iraqi soldiers. So we didn't get to go. And later I learned that one reason we were actually told to leave the country is because we asked to go see this camp and what happened to these 36 Iranian dissidents.

And now we have Camp Liberty. Camp Liberty, Madam Speaker, is the result of the fact that in Camp Ashraf, the Iraqi government is moving these dissidents to another camp called Camp Liberty. These dissidents are commonly referred to as the MEK, and Camp Liberty, ironically, should be symbolic of a name of freedom, but it's anything but that.

Now the Iraqi government, having moved these dissidents from Camp Ashraf to Camp Liberty, is still oppressing these Iranian dissidents. The reality is Camp Liberty is worse than Camp Ashraf.

Former New York Mayor Rudy Giuliani said it best: ''This isn't a jail, it's a concentration camp.''

Even in prisons, we allow lawyers to see their clients and their family to see their loved ones. But not in Camp Liberty. And remember, these people in Camp Liberty, these Iranian dissidents, have committed no crime. They have violated no law. You can't help but think that good old Maliki has something to hide again.

But word is leaking out that there's not enough drinking water in the camp, there are ruptures in the sewage system, and they're having to be fixed by hand by the residents.

Iraqi guards have their will at the camp, and they wander around with no rules. They violate the privacy of these Iranian dissidents, many of whom are women.

What's more, no one, not even the U.N., is confident that once political refugee determination is made by other countries, those countries will accept these dissidents into their country. Why?

Because our State Department incredibly, has the MEK, these folks in this Camp Liberty, designated as a foreign terrorist organization. In fact, Maliki told Members of Congress, one reason he treated the residents in Camp Ashraf so poorly is because our own State Department designates them as a foreign terrorist organization.

This designation is an old, failed State Department foreign policy that designated these people as an FTO as a favor to the Iranian government. That hasn't worked out too well with our foreign relations with Iran, has it?

Since then, we've seen that the real terrorists in Iran are the extreme mullahs and the tiny tyrant of the desert, Ahmadinejad, not the opposition groups that want democracy in Iran.

Both the EU and the United Kingdom have removed the foreign terrorist designation from the group, the MEK, but not the State Department. As Iran defiantly marches toward nuclear weapons, the best hope for the world is the people of Iran pushing for a regime change of their own government. The longer we keep opposition groups who want to do just that on the foreign terrorist organization list, the less likely it is that the light of liberty will have a chance to shine in Iran.

The Federal courts have even ordered the State Department to review this FTO designation, but the State Department continues to delay, to delay, delay making a decision. The State Department must remove the MEK from the foreign terrorist organization list immediately, and then let liberty prevail in Camp Liberty and let these people leave Iraq in a peaceful manner.

And that's just the way it is.

OUR LEGACY TO A NEW GENERATION: A WORLD FREE OF NUCLEAR WEAPONS

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

Ms. WOOLSEY. Madam Speaker, there was good news on the national security front last week. North Korea, one of the most dangerous rogue nations on the Earth, far more dangerous than Iraq was when we invaded 9 years ago, has agreed to suspend nuclear weapons activity. Through careful diplomacy, the Obama administration has secured this concession by offering badly needed nutritional assistance to North Koreans.

The North Korean regime has also consented to stop uranium enrichment, impose an important moratorium on long-range missile testing, and allow international weapons inspectors into the country for the first time in 3 years.

Of course, we must remain cautious, and we must remain vigilant in our dealings with North Korea. But it's clear that peaceful negotiations and diplomacy, as opposed to saber rattling that we've seen much too often in the recent past, is advancing our national security interests and moving us closer to a future of peace and security.

The President and Secretary Clinton deserve credit for this breakthrough. They have made nonproliferation and the securing of loose nuclear material top priorities. The New START Treaty represented a critical step in finally putting the Cold War behind us and increasing security cooperation between Russia and the United States.

It's my hope now that we will be bolder and more ambitious because it's time for the United States to exercise global leadership and true statesmanship, and move toward complete dismantling of our nuclear arsenal. That's exactly the long-term goal we committed to as a Nation when we signed the NPT 40 years ago.

To that end, Madam Speaker, I've introduced a resolution called NO NUKES, which stands for Nonproliferation Options for Nuclear Understanding to Keep Everyone Safe. NO NUKES. NO NUKES moves us aggressively in that direction.

It makes no sense at all that we have thousands of nuclear warheads when just one of them has the power to end life on Earth as we know it.

And if that's not good enough, eliminating nuclear weapons isn't just a matter of human rights and moral urgency, it's also a big budget item at a time when we must be exercising fiscal restraint.

□ 1100

We currently spend over $50 billion a year on maintenance of our existing nuclear arsenal. How about we invest that money on programs that save lives instead of weapons designed to destroy life? For nearly a decade now, we've defended our country and its interests by sending thousands of troops to die in a foreign war that isn't making America safer but is costing Americans billions of dollars every month.

Madam Speaker, there has to be a different way. My SMART Security Platform advances the idea that we make the world safer, not through acts of war and arms escalation, but through cooperation and conflict resolution.

For nearly my entire life, the world has lived under a shadow of nuclear confrontation. My oldest child turned 50 over the weekend. He was an infant in my arms during the terrifying days of the Cuban Missile Crisis. We can't make another generation go through that.

Actually, my 7-year-old grandson, Jake Eddie, is joining me in Washington this week, and I believe it is our responsibility to make a promise to him and to his classmates and his peers. Our legacy to them must be a world free of nuclear weapons. Our legacy to them must be a peaceful future. And one step in the right direction, in the memory of DONALD PAYNE, is to bring our troops home from Afghanistan.

RECESS

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

Accordingly (at 11 o'clock and 1 minute a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

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

Today is a significant day for Americans in this election year. We ask Your blessing upon the American people, especially those who choose to participate this day in primary elections. Give them good judgment and a sincere desire for the welfare of this great Nation as they cast their ballots.

Bless, as well, the Members of this people's House. May they be filled with Your spirit this day and exercise their responsibilities with wisdom, understanding, and goodwill. May all they do be for Your greater honor and glory.

In the past few days, O Lord, many have been assailed by terrifying and destructive weather. Send Your healing balm upon those who have been afflicted and bless with rapid success the efforts of those emergency responders who are working tirelessly to rebuild shattered lives and communities.

And finally, with sorrow, we acknowledge the passing of DONALD PAYNE of the 10th District of New Jersey. We thank You for his years of service in this assembly and ask You to bless his family and loved ones. Eternal

rest grant unto him, O Lord, and let perpetual light shine upon him. May his soul and the souls of all the departed, through the mercy of God, rest in peace.

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 New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS 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 requests for 1-minute speeches on each side of the aisle.

THE IRANIAN DUCK

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

Mr. POE of Texas. Mr. Speaker, Iran continues to inch closer to making its nuclear ambitions a reality.

The administration wants Israel to give diplomacy more time, but Prime Minister Netanyahu said, ''pressure on Iran is growing, but time is growing short.''

For Israel, a nuclear armed Iran threatens its very existence. Ahmadinejad says he wants to wipe Israel off the face of the Earth, and this radical extremist means what he says.

Israel will do what it has to in order to be master of its own faith, with or without the United States. Unfortunately, the days of full trust between the U.S. and Israel seem to be on shaky ground.

Netanyahu said:

> I will never let my people live in the shadow of annihilation.
>
> If it looks like a duck, walks like a duck, and quacks like a duck, it's a duck. But this duck is a nuclear duck, and it's time the world started calling a duck a duck.

Mr. Speaker, America must totally get behind our friend and let the Iranian duck know whose side we are on.

And that's just the way it is.

LET'S WORK TOGETHER

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

Mr. CICILLINE. Madam Speaker, I rise today to discuss an issue that is very important to the hardworking men and women in my home State of Rhode Island. Rhode Islanders learned yesterday that our workforce has grown smaller and our unemployment rate sits at 10.9 percent, the third highest in the Nation.

While some may struggle to see these problems from the steps of the Capitol, I hear frequently from constituents who can't understand why the House still has not considered a comprehensive jobs plan. That's why I and many of my colleagues have been working hard on legislation to put Americans back to work, including our Make it In America agenda to help reinvigorate American manufacturing.

We also need to start developing new ways to repair America's infrastructure and new ways to finance it, like a national infrastructure bank, a modern-day version of the WPA, and provide much needed help to small businesses and entrepreneurs. Yet the House leadership has stood in the path of progress on these issues.

Rhode Islanders know that Congress can do better. We need to work together and get these things done and get the American people back to work.

HIGHER GAS PRICES ARE HURTING OUR SMALL BUSINESSES

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

Mr. WILSON of South Carolina. Madam Speaker, since the President was sworn into office in January of 2009, gas prices have risen drastically by 156 percent. This fact shows the President's energy policy is failing our country and destroying jobs.

According to the National Federation of Independent Business, rising energy costs are a constant struggle for our small business owners. Our small business owners are already threatened with the rising cost of health care due to the mandates in the government takeover health care bill.

Instead of supporting effective energy policies that will lower the price at the pump, this administration has decided to delay the Keystone pipeline, a project that will create over 100,000 jobs at no taxpayer expense. If completed, this project will dramatically decrease our dependence on foreign oil and provide relief with energy costs for every small business.

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

HEZBOLLAH IN THE WESTERN HEMISPHERE

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

Mr. HIGGINS. Madam Speaker, I rise to express my concern about the presence of Hezbollah in the Western Hemisphere.

In the Homeland Security Committee, we've heard from experts who testified that Hezbollah, which is a terrorist proxy for Iran, Syria, and Venezuela, has an active membership in 14 North American cities, including Toronto, which is 90 miles from my western New York home.

Some dismiss this concern by saying that their activities are limited to fundraising. This is not comforting.

Madam Speaker, I have joined with my colleague, JEFF DUNCAN, to introduce H.R. 3783, the Countering Iran in the Western Hemisphere Act. Our legislation would call for the State Department to investigate Hezbollah's presence in the Western Hemisphere and to create a long-term strategy for keeping our communities and our Nation safe.

Madam Speaker, I'm pleased to say that this bipartisan legislation was unanimously passed in the subcommittee. As this bill moves through the House, I urge my colleagues to support our legislation to combat this growing threat.

PASS OUR JOBS BILL

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

Ms. JENKINS. Madam Speaker, it has been 4 years since the height of the Great Recession and our economy is nowhere near where it should be. Unemployment continues to hover around 8 percent and thousands upon thousands of hardworking Americans have left the job market altogether.

After the President killed the Keystone pipeline, gas prices have skyrocketed, and, by some estimates, more than 20 percent of homeowners are underwater on their mortgages.

Madam Speaker, Americans need real jobs, real solutions, and real results, not the unprecedented, unacceptable, and unsustainable wasteful Washington spending some of our colleagues continue to promote. It's time Washington started protecting and respecting the hardworking American taxpayers. We need a system where their hard work is rewarded and every American has a chance to succeed.

I urge the Senate and the President to pass our jobs bills and work with us to get the American people back to work.

□ 1210

IT'S TIME TO GET RID OF THE SPECULATORS

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

Mr. DEFAZIO. I paid $4.01 a gallon at home in Oregon last weekend. There's a lot of people who've got long-term plans, drill now, drill here, drill everywhere, conservation, whatever. They

say there's nothing we can do in the short-term. Well, there is.

Seventy percent of the oil futures, the supply of oil, is owned by speculators on Wall Street and other places around the world—70 percent. The head of ExxonMobil testified that about $38 a barrel is due to speculation. That's the head of ExxonMobil. He says we're paying 38 bucks a barrel for speculators on Wall Street.

Goldman Sachs says, well, it's only $22 to $28 a barrel. Let's take the lowest number, $22 a barrel. That would lower regular gas by 64 cents a gallon if we got rid of the speculators.

I've proposed a tax of 1/100 of 1 cent per transaction that would drive most of these speculators out of the market and raise some revenues.

It's time to get rid of the speculators, provide price relief to Americans, and then we can talk about a long-term plan for energy self-sufficiency.

THE JOBS ACT

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

Mr. HENSARLING. Madam Speaker, the President's policies have failed and, indeed, made our economy worse. For three straight years, unemployment has been above 8 percent, and the Congressional Budget Office predicts now that will last through 2014, the worst period of sustained high unemployment since the Great Depression.

America has a deficit of jobs because America's job creators have a deficit of confidence in this administration. New business startups are at an almost 17-year low, and that's why House Republicans have a plan for America's job creators that will help ease the President's job-killing policies.

Our plan will continue to unfold this week when the House votes on the actual JOBS Act to help small businesses and entrepreneurs access vital equity capital and put Americans back to work. The bill does exactly what the President's own job council recommends. It's time, for once, to work together to pass the bipartisan JOBS Act and give the American people the jobs and recovery they deserve.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

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

Ms. LEE of California. Madam Speaker, last night we lost a world leader, a father, a grandfather, a brother, an uncle, a great leader who consistently brought light to human suffering taking place around the world and what we here in Washington, D.C., can do for it.

It is with a heavy heart that I rise today in memory and in honor of Congressman DON PAYNE, a brilliant leader, former chair of the Africa Subcommittee on Foreign Affairs, and to do what I'm sure he would be doing if he were with us today, speak out against the massacres taking place in Sudan.

These killings are taking place in the Sudanese state of South Kordofan, outside the view of this Congress, and most Americans are unaware of this humanitarian catastrophe unfolding in the same region where we saw bloodshed in Darfur for many, many years.

Madam Speaker, on this day of mourning for Representative PAYNE, I know he would want us to recommit ourselves to act to prevent further bloodshed and suffering in Sudan.

My thoughts and my prayers are with Congressman PAYNE's family, his friends, and his constituents. May his legacy live forever. I will deeply miss his wise counsel and his friendship.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

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

Mr. PITTS. Madam Speaker, today the House of Representatives lost a distinguished Member who served with honor for more than two decades. I had the pleasure of working with DONALD PAYNE many times over the years. He had an incredible heart for Africa and suffering people in every corner of the continent.

From Morocco to South Africa, he was a tireless advocate for freedom and self-determination. We worked together speaking on behalf of the Sahrawi people in Western Sahara. Representative PAYNE watched Western Sahara closely, working toward a peaceful resolution that would allow for a free referendum that could establish self-government.

We also worked together in 2007 to recognize the 200th anniversary of the abolition of the British slave trade and to honor the legacy of William Wilberforce.

And in one amazing episode, he risked his life seeking peace in Sudan and nearly had his plane shot down in 2009.

DONALD PAYNE never missed an opportunity to advocate on behalf of the oppressed, and his work has had a lasting impact on the human rights of people around the world. I'm proud to have fought the good fight alongside of him.

He will be missed.

GAS PRICES ARE KILLING THE AMERICAN CONSUMER

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

Mr. WELCH. Gas prices are killing the American consumer. They're doing real damage to small businesses.

In my State, Cabot Creamery, which has fixed price contracts to deliver cheese, very important to farmers, very important to that business, price of gas going up a dollar, it's like another $135,000 off their bottom line.

There are long-term issues we've got to address, but you know what? There's stuff we can do in the short term. The futures market has been flipped upside down. It should be serving end users like airlines, fuel dealers. Instead, it's been taken over by speculators.

Goldman Sachs study says about $23 on the price of a barrel of oil is attributable to speculation. That's about 56 cents when you go to fill up your pickup truck, about an extra 15 bucks just for the speculation premium.

Past Presidents have used the Strategic Petroleum Reserve to spook the speculators, to send a shot across their bow that they're going to be on the wrong side, the losing side of these trades. Let's use the Strategic Petroleum Reserve to give some relief to our consumers and to our small businesses.

THE JOBS ACT

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

Ms. HAYWORTH. Madam Speaker, I received a letter from a young constituent who is a vigorous Boy Scout and a great citizen, Matthew Barbuti from Yorktown Heights, New York. He's only in sixth grade, but he's very concerned about our economy. And he wrote to me, ''If the economy doesn't turn around, our country will no longer be a world leader, and the American people will suffer.''

Matthew, you are exactly right. We do have a tremendous job ahead of us, and we are working here, all of us together, for you and for all the kids in this country who need a future, the kind of dreams that we have been privileged to dream.

So this week, we're bringing to the House floor the JOBS Act, part of a whole package of jobs bills that we've been sending to our colleagues in the Senate, and we certainly hope that, with Democratic and Republican support, and with the President's support of this bill as well, we'll be able to activate that economy to create the kind of jobs and opportunities that all of us need throughout this country, no matter where we come from.

Thank you, Matthew, for your common sense.

THE GOP'S ASSAULT ON WOMEN

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

Mr. YARMUTH. Madam Speaker, Rush Limbaugh's appalling attack on Georgetown student Sandra Fluke is no isolated incident, but part of a broader GOP assault on women's health.

Republicans have ushered in Women's History Month with legislation to

allow employers and insurance companies to deny women needed health coverage. But let's also take a look at their recent record on issues important to women's health.

Last year, Republicans voted to end Federal funding for Planned Parenthood, the largest provider of reproductive health services in the United States. They voted to eliminate funding for Title X family planning which, for 40 years, has provided family planning services, cancer screenings, and other preventive health services to low-income women.

And with their attempt to repeal the health care reform law, Republicans voted to allow insurance companies to, once again, deny women coverage if they've ever been pregnant, had a C-section, or been the victim of domestic violence.

Madam Speaker, Republicans' idea of Women's History Month is reenacting the women's equality fight of 100 years ago.

I call on my GOP colleagues to join us here in the 21st century, where women not only raise families, they have jobs, and they even wear pants.

CONGRATULATING BRIDGET BROWN ON RECEIVING THE 2012 SELF-ADVOCATE OF THE YEAR CHAMPION OF CHANGE AWARD

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

Mrs. BIGGERT. Madam Speaker, hundreds of advocates from across the country traveled to Capitol Hill last week to raise awareness on behalf of the National Down Syndrome Society. Today I rise to congratulate one of those individuals, Bridget Brown, who is being honored with the 2012 Self-Advocate of the Year Champion of Change Award.

A resident of Darien, Illinois, Bridget has helped to empower and inspire thousands of others with Down Syndrome to lead full and successful lives. A role model, mentor, and national speaker, she graduated from high school in 2005 after becoming the first person with Down Syndrome to be included in her school district. She helped to promote among Illinois educators the concept of inclusion, and launched her own advocacy organization called Butterflies for Change.

I applaud Bridget for her amazing work at the local and national level to help others achieve their full potential. She has made her State and her community proud, and I wish Bridget continued success in her efforts on behalf of the more than 400,000 Americans with Down Syndrome.

□ 1220

PROTECT AMERICAN MANUFACTURING

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

Ms. BALDWIN. Madam Speaker, I rise today in support of H.R. 4105, a bill that would allow us to protect American manufacturing, including Wisconsin's paper industry, from unfair Chinese trade practices.

The simple fact is that China is cheating. Chinese manufacturers are not outcompeting American manufacturers. Chinese companies receive direct subsidies from their government to help them undercut American businesses. We've seen the result this has had on our manufacturing base, and in my home State of Wisconsin, particularly on our paper industry.

In the paper sector alone, China has provided more than $33.1 billion in subsidies from 2002 to 2009 and is now the world's largest producer of paper and paper products. Hardworking American businesses in these and other sectors rely on countervailing duties to combat these illegal subsidies and help them keep their doors open.

Last month, I introduced bipartisan legislation to ensure the Department of Commerce has the legal authority to impose these countervailing duties on subsidized imports from countries like China. I am very proud to see that legislation incorporated in the larger bill before us later today, and I urge my colleagues to vote ''aye.''

WELCOMING ISRAELI PRIME MINISTER BENJAMIN NETANYAHU

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

Mr. YODER. Madam Speaker, I rise today to welcome Israeli Prime Minister Benjamin Netanyahu on his visit to the United States and to reaffirm our commitment to our strongest ally, Israel.

As Prime Minister Netanyahu visits our Nation, Israel presently stands in the shadow of a threatening neighbor who is intent on producing nuclear weapons.

Israel must remain the master of its fate and be able to defend itself against Iran. Iran's nuclear program is unequivocally a threat to Israel's existence and a threat to stability throughout the whole Middle East region and throughout the whole world by way of proliferation. There is no telling who Iran may sell their enriched uranium to; but their state policy of sponsoring groups that promote terrorism, it's not hard to speculate on the dire consequences.

Madam Speaker, as we work together to combat global terrorism and those that would threaten peace, democracy, and stability in the world, we must stand strong behind our ally Israel.

WOMEN WAIT AS POLITICIANS DEBATE THEIR CARE

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

Ms. JACKSON LEE of Texas. Madam Speaker, I have a headline here this morning that indicates, ''Women Wait as Politicians Debate Their Care.''

This is not a story about accusations or calling college coeds prostitutes and, if you will, sluts and other negative words. This is about women's access to health care, and I'm sad to even say those words, but we see them broadcast across America's Federal airwaves by talk show entertainers like Rush Limbaugh. This young woman's name is Kimberly Moore, who is caught in a conflict in the State of Texas with the Women's Health Program that is funded by Medicaid and the decision of the State of Texas to evict Planned Parenthood from caring for women like Kimberly, a single mother working part time, who can't afford health care.

Between judges who want to accuse our President of dastardly things through jokes and the idea of keeping women away from access to health care, that should not resolve around their choice of contraceptives, but plain old health care, it's time for us to stand with the women of America and the decent people of America, to stand with this President, to stand with the idea of providing women health care, and to stand against those who are in States where they want to reject Planned Parenthood for simply giving health care access to women and to stand against divisive corrosive language.

AFFIRMING SUPPORT FOR THE STATE OF ISRAEL

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

Mr. PALAZZO. Madam Speaker, like many of my colleagues, I have visited the State of Israel. I have walked the streets of Jerusalem, and I have seen firsthand the beauty of its people, its culture, and its incredible history and heritage.

Prime Minister Benjamin Netanyahu reminded us of that heritage last night as he addressed a crowd of thousands, and I know he is on Capitol Hill again today sending the same message: serious threats have been made towards Israel, and Israel must take threats seriously, especially when dealing with a madman working toward a nuclear weapon.

No one wants a war in an area where world peace rests on such a delicate balance. No one wants to have to initiate unnecessary aggression. I have supported sanctions. I have supported resolutions of disapproval. I want to believe that Iran's offer today to allow U.N. weapons inspectors in means that they have nothing to hide.

If our friends in Israel decide to act, I know it will not be a decision made lightly nor without good reason. I urge my colleagues to join me in affirming our support of Israel, not just to stand behind her but to stand beside her.

NATIONAL BREAKFAST WEEK

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

Mr. COHEN. This week is National Breakfast Week, which offers an opportunity to talk about the importance of a healthy breakfast for America's children. Breakfast, as we've all heard, is the most important meal of the day. Studies have shown that breakfast can help boost a child's academic performance and can also improve classroom behavior, reduce absences and tardiness, as well as increase mental focus and physical performance. However, according to the U.S. Department of Agriculture, one in five children live in homes where food is not always available, making breakfast often hard to come by.

I want to commend Kellogg's, which has a cereal plant in my district, and Action for Healthy Kids for starting the Share Your Breakfast program which provides grants directly to school or school districts to help them increase participation in school breakfast programs. Our children need to receive a holistic, well-rounded education, one that includes staying active and fit and, most importantly, starts off with a healthy breakfast.

I'm off to lunch.

JUMPSTART OUR BUSINESS STARTUPS

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

Mr. SCHWEIKERT. Madam Speaker, this is going to be one of those weeks where I believe we can be proud here in the House. We're going to be moving forward with a jobs bill we've monikered Jumpstart Our Business Startups. I just had in my office a coalition from high-tech companies from Arizona, and they unanimously had a story to tell, and that was a story of the difficulty in finding capital for moving small companies, small organizations, these organizations that are creating jobs.

I'm particularly blessed this week to have multiple bills in the package. One is the Small Company Capital Formation bill, a Private Company Flexibility and Growth Act of the six bills that are coming.

I'm proud of the House. I look forward to these bills moving forward.

REMEMBERING THE HON. DONALD PAYNE

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

Mr. PALLONE. Madam Speaker, I would like to speak about my dear friend and colleague, DONALD PAYNE, who passed away this morning. I saw him on Saturday for the last time, and I can't think of anybody who in this House has been closer to me and someone who made it so much better for us to be in Congress, not only for all of us as colleagues but also for the rest of the world.

DONALD always made me smile. DONALD was a very serious person who cared so much about his constituents in Norwich and the rest of the towns that he represented in New Jersey and really reached out to the rest of the world. He was always looking out for the concerns of the poor and the disadvantaged and the people in need, whether it was their health care or whether they had adequate food or housing.

But I think more than anything else, I remember his smile. He would always be happy. He would always have a joke to say; and, frankly, in dealing with all the serious issues that he dealt with and he cared so much about, both here at home, as well as overseas, it was always nice to have someone that you could call a friend, that you could confide in, that you could talk to about your own problems as well, but always with that smile, always with that joke, always with the ability to say, FRANK, you know, let's not take ourselves too seriously, even though we have a lot of serious work to do.

I will sorely miss him. I don't think there will be anybody who can replace him, and I just want to reach out to his family and his friends back at home today and express my sympathy to all of them for such a wonderful person that you were able to share some time with here.

Ms. JACKSON LEE of Texas. Would the gentleman yield for just a moment?

Mr. PALLONE. I yield to the gentlewoman.

Ms. JACKSON LEE of Texas. Just one simple statement. I couldn't leave the floor.

Just to express our love and affection for DON PAYNE and just to say that he saved lives because he intruded in places like Africa and Sudan, in Africa and many other places. He saved lives because of his compassion for people, his fight for human rights, and his fight for peace.

Mr. PALLONE. Thank you.

□ 1230

REMEMBERING THE ALAMO

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

Mr. OLSON. Madam Speaker, 176 years ago, the Alamo fell. Every Texan fighting for independence was either killed or executed. I would like to read a portion of the last letter sent from the Alamo by its commander:

Fellow citizens and compatriots, I am besieged by 1,000 or more of the Mexicans under Santa Anna. I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion. Otherwise, the garrison are to be put to the sword . . . I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat . . . Victory or death.

Signed, William Barret Travis, Lieutenant Colonel Commander at the Alamo.

Remember the Alamo. God bless Texas.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

APPLYING COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES

Mr. CAMP. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4105) to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4105

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

SECTION 1. APPLICATION OF COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES.

(a) IN GENERAL.—Section 701 of the Tariff Act of 1930 (19 U.S.C. 1671) is amended by adding at the end the following:

''(f) APPLICABILITY TO PROCEEDINGS INVOLVING NONMARKET ECONOMY COUNTRIES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the merchandise on which countervailing duties shall be imposed under subsection (a) includes a class or kind of merchandise imported, or sold (or likely to be sold) for importation, into the United States from a nonmarket economy country.

''(2) EXCEPTION.—A countervailing duty is not required to be imposed under subsection (a) on a class or kind of merchandise imported, or sold (or likely to be sold) for importation, into the United States from a nonmarket economy country if the administering authority is unable to identify and measure subsidies provided by the government of the nonmarket economy country or a public entity within the territory of the nonmarket economy country because the economy of that country is essentially comprised of a single entity.''.

(b) EFFECTIVE DATE.—Subsection (f) of section 701 of the Tariff Act of 1930, as added by subsection (a) of this section, applies to—

(1) all proceedings initiated under subtitle A of title VII of that Act (19 U.S.C. 1671 et seq.) on or after November 20, 2006;

(2) all resulting actions by U.S. Customs and Border Protection; and

(3) all civil actions, criminal proceedings, and other proceedings before a Federal court relating to proceedings referred to in paragraph (1) or actions referred to in paragraph (2).

SEC. 2. ADJUSTMENT OF ANTIDUMPING DUTY IN CERTAIN PROCEEDINGS RELATING TO IMPORTS FROM NONMARKET ECONOMY COUNTRIES.

(a) IN GENERAL.—Section 777A of the Tariff Act of 1930 (19 U.S.C. 1677f–1) is amended by adding at the end the following:

''(f) ADJUSTMENT OF ANTIDUMPING DUTY IN CERTAIN PROCEEDINGS RELATING TO IMPORTS FROM NONMARKET ECONOMY COUNTRIES.—

''(1) IN GENERAL.—If the administering authority determines, with respect to a class or kind of merchandise from a nonmarket economy country for which an antidumping duty is determined using normal value pursuant to section 773(c), that—

''(A) pursuant to section 701(a)(1), a countervailable subsidy (other than an export subsidy referred to in section 772(c)(1)(C)) has been provided with respect to the class or kind of merchandise,

''(B) such countervailable subsidy has been demonstrated to have reduced the average price of imports of the class or kind of merchandise during the relevant period, and

''(C) the administering authority can reasonably estimate the extent to which the countervailable subsidy referred to in subparagraph (B), in combination with the use of normal value determined pursuant to section 773(c), has increased the weighted average dumping margin for the class or kind of merchandise,

the administering authority shall, except as provided in paragraph (2), reduce the antidumping duty by the amount of the increase in the weighted average dumping margin estimated by the administering authority under subparagraph (C).

''(2) MAXIMUM REDUCTION IN ANTIDUMPING DUTY.—The administering authority may not reduce the antidumping duty applicable to a class or kind of merchandise from a nonmarket economy country under this subsection by more than the portion of the countervailing duty rate attributable to a countervailable subsidy that is provided with respect to the class or kind of merchandise and that meets the conditions described in subparagraphs (A), (B), and (C) of paragraph (1).''.

(b) EFFECTIVE DATE.—Subsection (f) of section 777A of the Tariff Act of 1930, as added by subsection (a) of this section, applies to—

(1) all investigations and reviews initiated pursuant to title VII of that Act (19 U.S.C. 1671 et seq.) on or after the date of the enactment of this Act; and

(2) subject to subsection (c) of section 129 of the Uruguay Round Agreements Act (19 U.S.C. 3538), all determinations issued under subsection (b)(2) of that section on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

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

I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CAMP. Madam Speaker, I urge the passage of this legislation to ensure that we can continue to fight unfair subsidies from countries like China that violate the WTO, injure our industries, and cost U.S. jobs. This legislation reaffirms that our antisubsidy laws, or countervailing duty laws, apply to subsidies from China and other nonmarket countries, and it overturns an erroneous decision by the Federal circuit that the Department of Commerce does not have the authority to apply these countervailing duty rules to nonmarket economies.

China distorts the free market by giving enormous subsidies to its producers and exporters, and our companies and our workers should not be expected to compete against the deep pockets of the Chinese Government. That is why it is vital that we preserve this important tool and ensure that current countervailing duty orders and investigations from nonmarket economies remain in place and that this important tool is available in the future.

In addition, this legislation fully complies with our WTO obligations. China agreed to be subject to countervailing duty laws when it joined the WTO in 2001, and the WTO has reaffirmed our right to apply these laws to China. Failing to enact this legislation would mean that we're unilaterally giving away a right that allows us to protect American workers. This legislation also brings the United States into compliance with its obligations by requiring the Department of Commerce to make an adjustment when there is evidence of a double remedy.

Finally, I am pleased that this legislation, which has already passed the Senate, is bipartisan and has administration support.

For all of these reasons, we urgently need to pass this important legislation. I urge all of my colleagues to support this bipartisan bill.

Madam Speaker, I reserve the balance of my time.

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

This bill will send a clear signal, especially with an overwhelming vote, that there are clear consequences when a nation violates the rules. China is, indeed, tilting the field of competition by not playing by the rules. This bill restores a key instrument for our Nation to hold China and other nations accountable. The failure to pass it would be an enormous step backwards at a time when, indeed, we need to fast-forward our efforts to rein in China's abusive trade practices that, in part, have led to our record $295 billion trade deficit with China. This legislation ensures that tools remain available under U.S. trade law so that manufacturers can fight back against China's unfair trade subsidies.

Countervailing duties have been a part of U.S. trade law for nearly 120 years, and today, almost one-half—23 of 50—of all countervailing duty orders in place involve China. This is not surprising. A central element of Chinese industrial policy has been to provide massive subsidies to its producers to help them knock out competitors and to dominate the market. These include loans at below-market interest rates, cheap or sometimes free land, extensive tax breaks, and other subsidies designed to advantage domestic industry.

To date, countervailing duties have been the singular form of relief available to American workers and companies devastated by these mercantilist policies. Over the last 6 years, Commerce has put in place 23 countervailing duty orders against China—23—and five other investigations are currently underway. More than $4 billion in subsidized imports have been covered by these measures, shielding an estimated 80,000 American jobs from unfair competition.

Yet, in December, based on a deeply flawed assessment of congressional intent, the court of appeals for the Federal circuit ruled that Commerce, which administers our countervailing duty laws, does not have the authority to apply those laws to nonmarket economy countries like China. That decision threatens to eviscerate the U.S. right to apply countervailing duties to China, a right protected under WTO rules; and it threatens to cripple Commerce in its efforts to combat Chinese subsidies that harm our industries.

With this bill, we are making clear that the Federal circuit's decision was wrong and that it cannot stand. Commerce has always had the authority to apply countervailing duties to nonmarket economies such as China, and now it shall continue to have and exercise this vitally important authority in the future.

Because of this bill—and I urge the strongest possible support—tens of thousands of American workers and scores of American companies in 38 States across this country that have shown that they are entitled to relief from unfair subsidization by nonmarket economies will continue to get that relief. This bill ensures all of the existing orders and investigations remain in place.

For these reasons, I support the passage of H.R. 4105, and I urge all of my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Mr. CAMP. I yield 2 minutes to the distinguished chairman of the Trade Subcommittee, the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, I strongly support the passage of this bill.

When China repeatedly undermines the free market by subsidizing its exports to the United States, we can't just give them a pass, especially when the businesses China subsidizes are often government-owned businesses that compete unfairly against our American companies and workers.

□ 1240

If you don't believe the American Government should pick winners and losers in the marketplace, you certainly don't support the Chinese Government doing the same. There is an

important distinction between the duties that seek to protect companies that are afraid to compete in the marketplace—those I oppose—and in this case duties assessed against those who try to distort the free market through unfair government subsidies.

It's a distinction between the price of legal software and illegal software. We would shoot ourselves in the foot if we denied this important tool to protect the free market for American workers.

It's important, as Chairman CAMP noted today, that this legislation is WTO consistent and fully within America's rights when dealing with China and other nonmarket economies. It's also important that this bill addresses the double-remedies laws in the right way to ensure that America applies these laws in accordance with our WTO obligations.

In conclusion, this legislation ensures the freedom of U.S. companies and workers to compete in a market that is not distorted by the Chinese Government. It restores free market principles by allowing us to address China's unfair subsidies. It has no different impact on consumers than enforcing our intellectual property laws.

We owe it to America's job creators and our workers to make sure we have the tools at our disposal to offset such unfair trade practices and allow the free market to work properly. That's why I urge strong support for this vital legislation.

Mr. LEVIN. I yield 1½ minutes to a distinguished member of our committee, the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank the gentleman.

Madam Speaker, I certainly rise in support of this legislation, which confirms that the Commerce Department can continue to apply countervailing duties on subsidized imports from countries with nonmarket economies such as China and Vietnam.

In fact, this legislation strengthens the opportunity to use an international forum for the prescribed purpose of resolving disputes. If our trading partners are not playing by the rules, it's imperative that the United States have the tools to challenge these unfair practices. Countervailing duties level the playing field for U.S. employers and workers and allow them to compete against imports that are subsidized through unfair trade practices, emphasis on the word ''unfair.''

Since the Commerce Department started applying these duties in 2007, it is estimated that countervailing duties have protected an estimated 80,000 jobs in the United States. At the same time, it's important to point out this is not a protectionist measure. It strengthens our hand in dealing with negotiations.

Let's pass this commonsense legislation and keep American jobs defended against unfair trade practices.

Mr. CAMP. I yield 2 minutes to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. I rise in favor of H.R. 4105 because we need to have every tool we can muster to fight China's unfair trade practices, which not only steal markets and jobs from American producers, but also provides Beijing with a means to finance its military buildup and expanding influence around the world.

This bill should not have been necessary. It overturns a faulty court decision that claimed U.S. law prohibits the Department of Commerce from applying countervailing duties to nonmarket economies. Yet nonmarket economies, where the government directs business through trade subsidies, national planning and state ownership of firms, this is where the greatest abuses occur that distort the market.

Unfortunately, our system to combat trade abuses and unfair foreign practices does not work. We have had a massive transfer, which is evident, when we see that we have had a massive historic transfer of wealth from the American people to China over these last few decades. That policy should have been corrected long ago to prevent this deprivation of the American people.

Furthermore, this bill allows the Commerce Department to adjust actions to avoid future negative findings by the World Trade Organization. Again, this should not be necessary because China should not be part of the World Trade Organization. It is not a market economy and thus should have been denied membership. It has not lived up to its obligations of WTO membership, and thus Beijing should not be made a stakeholder in world affairs.

It remains an aggressive, communist dictatorship that supports every rogue enemy of the United States. It is the world's number one proliferator of nuclear technology and the number one abuser of human rights. It is a land of cronyism, corruption, and repression. We should not be helping a country ruled by this kind of government grow while we stagnate.

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

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

Mr. ROHRABACHER. We ran a record $295 billion trade deficit in goods with China last year at a time when the U.S. economy was trying to struggle from a recession and we had high unemployment. This bill would be a small step in the right direction; but we need to do much more to restore growth and balance to our international, economic and strategic relations with other countries, especially China. We should end this massive transfer of wealth from our people to China. It's a sin against our own people.

Mr. LEVIN. I yield 2 minutes to another distinguished member of our committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you, Mr. LEVIN. I appreciate the fact that our chairman, Mr. CAMP, and our ranking member, Mr. LEVIN, are here today advancing H.R. 4105.

We are not going to unring the bell.

The Chinese Government is an important part of the world economy. We are interrelated and interdependent. American people buy things from China every day. I was happy to have them be part of the WTO so there would be rules of the road.

It's not about protectionism for the United States. It is making sure that our competitors in China play by the rules. Too often we have seen that they don't. We've seen their massive unjustified subsidies. We've found cheating in the international arena in terms of stealing intellectual products, stealing Web sites. The Chinese Government needs to be encouraged directly to play by the same sorts of rules.

If America is on a level playing field, our manufacturers can work and compete against the best the world has to offer. But, unfortunately, related to China right now, it is too often not a level playing field. This is an important step going forward to make sure that we can rebalance the equation.

I hope that the administration will be aggressive in using the tools that it has to make sure the rules of the road are observed. This has been a frustration I have had since I have been in Congress with both Republican and Democratic administrations. I don't think we have done all, in fact, that we could. I hope that we will.

I think this bill is a step in the right direction, and I appreciate the bipartisan show of support from our committee to move it forward. I hope that the House passes it overwhelmingly, and that it is something that the other body moves on, so that we can have this tool back in our tool kit.

Mr. CAMP. I yield 2 minutes to the distinguished chairman of the Oversight Subcommittee, the gentleman from Louisiana, Dr. BOUSTANY.

Mr. BOUSTANY. Madam Speaker, I rise in strong, vigorous support of H.R. 4105, and I want to commend Chairman CAMP for his leadership in bringing this appropriate bill to the floor today.

As a supporter of free and fair trade, I believe that U.S. companies and workers deserve a level playing field in order to successfully compete around the world. This bill restores Commerce's ability to protect American jobs and companies from unfair, WTO-inconsistent practices, inconsistent trade practices perpetrated by nonmarket economies, mainly China and Vietnam.

This is an important tool being used by several industries in my home State of Louisiana, the ability to use countervailing duties, companies that produce steel pipe, aluminum extrusion, woven sack industries, just to name a few. More importantly, many key industries such as shrimp processors want to make sure that this tool remains in place in case they need to use it in the future to deal with unfair trade practices.

As our industries expand and compete for businesses around the world, it's irresponsible to not have these types of measures, enforcement measures, in place and to take this vital tool away from the Department of Commerce.

□ 1250

This has been a practice that is WTO compliant. We have used it for years, and now because of a recent Federal court ruling, it has been taken away.

The bill simply amends the 1930 Tariff Act to allow this WTO-compliant technique to be used to impose countervailing duties on nonmarket economies when they use unfair subsidies. It's fully consistent with our international trade obligations, it restores current practices, and it is the right thing to do for American businesses and workers. I strongly encourage our colleagues in this House to support this important bill.

AMERICAN SHRIMP PROCESSORS ASSOCIATION,
Biloxi, MS, March 5, 2012.

Hon. DAVE CAMP,
Chairman, Ways and Means Committee, Cannon House Office Building, Washington, DC.

Hon. SANDER M. LEVIN,
Ranking Member, Ways and Means Committee, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CAMP AND RANKING MEMBER LEVIN: The American Shrimp Processors Association (ASPA) strongly supports, H.R. 4105, the bill you introduced on February 29, ''to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries.'' We appreciate that you took the lead on this measure and are working hard to quickly pass this critical bipartisan legislation that allows the Commerce Department to continue to apply countervailing duty laws to non-market economies. We believe passage of this measure is critical to the continued ability of domestic industries like ASPA to fight unfair Chinese and Vietnamese trade practices. Additionally, we salute the strong support offered to this measure by our Gulf coast Ways and Means Committee Member Charles Boustany, Jr.

This bipartisan and bicameral legislation aims to correct a problematic decision by the Court of Appeals for the Federal Circuit that found that U.S. law prohibits the Department of Commerce from applying countervailing duties to non-market economies like China and Vietnam. We understand that Congress must act by March 15th to ensure that the law is changed prior to final action in the courts.

As a domestic industry that has struggled to survive amidst a barrage of subsidized imports from Asian non-market and market economies alike, ASPA has a strong interest in seeing U.S. countervailing duty law enforced. If the Congress were to do nothing, important trade orders already in place on subsidized imports from China and Vietnam would disappear. These orders have corrected Chinese and Vietnamese practices that have injured a broad range of domestic industries and threatened the jobs of tens of thousands of American workers.

Additionally, and more importantly to ASPA members, the recent Court decision would prohibit the U.S. shrimp industry from ever using the U.S. trade laws designed to correct unfair government subsidies on shrimp exported from non-market economies like China and Vietnam, which have been flooding the U.S. market for years.

While the U.S. shrimp industry has repeatedly demonstrated its resilience in the past, the failure to pass this important legislation leaves the domestic shrimp industry, and all U.S. industries, at a permanent disadvantage, as they will be unable to take any action to redress the harm that subsidized imports from non-market economies cause. All our major trading partners have trade laws that allow them to go after government subsidies from non-market economies. Why would the United States want to unilaterally disarm?

Without this legislative fix, ASPA members' ability to go after egregious trade practices in China and Vietnam would be severely limited. ASPA urges you to maintain a level playing field for all domestic industries by passing this legislation this week.

Sincerely,

C. DAVID VEAL,
Executive Director.

Mr. LEVIN. Madam Speaker, I now yield 2 minutes to Mr. PASCRELL from the great State of New Jersey, another very active member of our committee.

Mr. PASCRELL. Madam Speaker, as cosponsor of this legislation, I rise in strong support of the bill. I want to thank Chairman CAMP and Ranking Member LEVIN for working together in a bipartisan way to address this issue, and I hope this is the beginning of more bipartisan trade negotiations amongst ourselves. I think it's healthy.

We all know that China uses a variety of mercantilist measures to distort trade with the United States. Illegal subsidies—we must admit we are not playing on a level playing field when they are allowed to subsidize their industry, and we don't choose to do that. Second, forced technology transfers. And, third, currency manipulation.

It is important that our government have every tool at its disposal in order to combat these abuses and others. This legislation will once again allow the application of our countervailing duty laws and the enforcement of existing orders to nonmarket economies like China.

But we must go further if we are going to level this playing field with China in a way that truly benefits American workers and businesses. We need to extend our trade remedy laws to cover currency manipulation, an approach embraced by a large bipartisan majority of this body that could create over a million jobs.

Also, I believe we must embrace and fully fund the President's new Interagency Trade Enforcement Center to focus our resources on leveling the playing field with China. We can't continue to sit on our hands while Chinese businesses undercut American workers and our manufacturing base continues to drift overseas. Let's not stop with the passage of this bill, but continue to move forward on a fair trade policy that places American workers and businesses first.

Mr. CAMP. Madam Speaker, at this time I yield 1 minute to the distinguished gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Madam Speaker, I would like to thank the chairman for bringing this very, very important piece of legislation to the floor for a vote. I'm here to join my colleagues in support of H.R. 4105, which will protect the free market and prevent American businesses from unfair dumping practices by countries such as China.

Madam Speaker, I hear from businesses in North Carolina every day who are telling me that in order to compete in the global market, action must be taken to prevent nonmarket countries like China from distorting the market and costing American jobs.

Since 2007, the Department of Commerce has applied countervailing duties to Chinese products where it determines that China has provided unfair subsidies that violate its WTO obligations. These duties are not punitive; they merely serve as a correction to unfair Chinese subsidies. They restore the level playing field that U.S. industries and small businesses—such as wire producers and textile companies in North Carolina—provide.

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

Mr. CAMP. I yield the gentlewoman an additional 15 seconds.

Mrs. ELLMERS. I thank the gentleman.

H.R. 4105 will ensure that the Department of Commerce can continue to apply countervailing duty and anti-subsidy laws to nonmarket economies that are violating current law. At the same time, we need robust trade policies that will strengthen our economy and build upon the partnerships we have made with countries around the world.

Mr. LEVIN. Madam Speaker, I now yield 2 minutes to the gentleman from Maine (Mr. MICHAUD) who is very active in trade matters.

Mr. MICHAUD. Madam Speaker, I rise today in strong support of H.R. 4105. I want to thank the chairman and the ranking member for their efforts in bringing this bill before this body. Passing this bill will ensure that the Commerce Department has the authority to apply tariffs on illegally subsidized goods from China and other nonmarket economies.

For the State of Maine, passing this bill will protect the countervailing and anti-dumping duties in place on coated paper imports from China. From 2002 to 2009, China provided more than $33 billion in subsidies, many of them illegal, to the paper sector. As a result, China overtook the United States as the world's largest producer of paper and paper products. This growth in Beijing's paper sector hits Maine's mills hard.

Since 2008, Maine workers from both Sappi Fine and NewPage companies have become eligible for trade adjustment assistance after they were laid off as a result of increased foreign imports. But after countervailing and anti-dumping duties were applied to paper imports from China, one mill

hired 100 employees. This is just one example of how much of a difference countervailing duties can make for an American company having to compete against illegally subsidized Chinese goods.

H.R. 4105 will ensure that countervailing duties can continue to be applied to illegally subsidized goods from all countries, including China. This bill is critical to ensuring that our American businesses compete on a level playing field, and I urge all my colleagues to vote for it. And I want to once again thank the chairman and the ranking member for their efforts in bringing this bill forward. It's always good to be on the same side as the chair and the ranking member.

Mr. CAMP. Madam Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY. Madam Speaker, I thank the chairman. I rise today in strong support of H.R. 4105.

Where I'm from in northwest Pennsylvania, western Pennsylvania, we relish competition. In fact, we can't wait to go head-to-head and toe-to-toe with anybody, anytime, anyplace in the world. The only thing we ask for is a level playing field, something that's fair for everyone.

And when you look at markets in Vietnam and China and other nonmarket economies that are able to game us, we don't like it. So places like Sharon Tube and Wheatland Tube, those are the workers I'm talking about. And those are workers who I will tell you today would stand here with us, arm-in-arm, in saying, Bring it on. Bring it on. We want the competition. We can prove to the competition that we are the best and always will be the best, but keep it a level playing field, keep the rules where they should be, and enforce them.

Mr. LEVIN. I now yield 1 minute to Mr. CRITZ from the great State of Pennsylvania, a gentleman who is most active on these issues.

Mr. CRITZ. Madam Speaker, I thank Mr. LEVIN. As a cosponsor of this bill, I rise in strong support of H.R. 4105.

In 2011, the U.S. Court of Appeals ruled that the Department of Commerce did not have the authority to impose countervailing duties on goods from nonmarket economies. Of the 24 countervailing duties currently in place against goods from nonmarket economies, 23 are for China. Without the legislative action we are proposing today to overturn this ruling, it is very likely that these current countervailing duties would be negated.

This is unacceptable, and we cannot stand by when over 80,000 American manufacturing jobs are at stake. Almost every State is impacted by this decision, and almost every congressional district in Pennsylvania has companies that would be affected if this legislation does not pass.

We must take action today and pass H.R. 4105 to overturn a flawed court ruling and to ensure that the Department of Commerce can continue to fight unfair subsidies that hurt American manufacturers and American workers. We must level the playing field, and I strongly urge my colleagues to stand with American workers and pass this bill.

□ 1300

Mr. CAMP. At this time, I yield 2 minutes to a distinguished member of the Ways and Means Committee, the gentleman from New York (Mr. REED).

Mr. REED. Madam Speaker, I rise today to join in what appears to be a bipartisan sentiment that's developing on the floor of the House today, and I'm pleased to be part of it. I'm pleased to stand with my colleagues on the other side of the aisle and members of the Ways and Means Committee in support of a bill that will go a long way to protecting American job creators and American employees from coast to coast.

What we are talking about is allowing the imposition of countervailing duties in order to protect the American market to make sure that the American market is in a competitive position when it comes to our competitors in China and making sure that when we go to the battlefield of the marketplace that that marketplace is put on an even, level playing field so that we can compete squarely.

As my colleague from Pennsylvania (Mr. KELLY) just articulated, I bet on the American worker every single time when we have a marketplace that is level, that is fair, and that is even. And that's why I ask all my colleagues—all of my colleagues—to join us in sending a message today by passing the subject bill and sending a message to the world, to the world economy and to the world markets that America will compete on an even playing field and allow the imposition of countervailing duties to make sure that we have free marketplace principles in place that protect our American workers and protect our American job creators.

For that, I wholeheartedly support and stand with hardworking taxpayers across this country. I ask all colleagues to join in support of this resolution and legislation.

Mr. LEVIN. I now yield 2 minutes to our ranking member on the Rules Committee, the gentlelady from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Madam Speaker, I thank the gentleman for yielding. This is very important legislation we're doing here today because in December the Federal Court of Appeals wrongly determined that the Commerce Department does not have the authority to respond to illegal Chinese subsidies with countervailing duties. The court said that despite illegal action from the Chinese, we, as a Nation, are unable to respond as we wish to stop the loss of thousands of American jobs.

This court decision would have immediately reversed 23 import duties that protect 80,000 American workers from subsidized goods entering our market. In addition, it would have halted six pending U.S. investigations into unfair trade practices while costing the taxpayers billions of dollars each year.

Quite simply, allowing this decision to stand would unilaterally disarm our Nation of one of the most important weapons we have in combating subsidized Chinese exports. In the world of global trade, our Nation can ill afford to let any country assume an unfair and illegal advantage. Countless American companies, from Rochester, New York, to Detroit, Michigan, rely upon a level playing field to compete and win.

From the day of this court ruling, I've been working closely with my colleagues on Ways and Means to reverse this decision, and I'm so happy to support today's bipartisan legislation. Tens of thousands of working Americans are counting on Congress today to reverse the court decision and preserve the ability of our country to respond to illegal trade.

I want to thank Chairman CAMP and Ranking Member LEVIN for the good work that they have done in working together to reach an agreement that stands up for American manufacturers. I urge all of my colleagues to support this critical legislation.

Mr. LEVIN. I yield myself the balance of our time.

The need is clear, the answer is clear, and I hope the vote will be clear. I yield back the balance of my time.

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

In summary, I'd like to say that an identical bill to this passed the Senate with unanimous consent. The ability of the U.S. to impose countervailing duties on nonmarket economies, specifically on China, was something China agreed to when it entered the WTO. There are massive subsidies that distort the free market and cost us jobs here in the United States. This is an important tool, as so many have said, as speakers today have said, for us to have to address unfair subsidies from China that hurt our U.S. workers.

I think this is an important bill. It has bipartisan support, and I urge the passage of this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Madam Speaker I rise today in order to debate H.R. 4105, "To apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries," would ensure that the Department of Commerce can continue to apply countervailing duty law (CDV) to nonmarket economies (NME), such as China and Vietnam. Countervailing duties aim to offset the benefits of government subsidies to industries. Anti-dumping (AD) duties apply to goods sold overseas at or below the price in the home country.

As we enter the first full week of spring and trees are regaining their leaves. We are once again faced with finding ways to help strengthen our economy. After years of witnessing a decline in manufacturing, before us this year there has been a revival. This legislation that

would further enhance the economic viability of our manufacturing industries against unfair competition is welcome news.

The measure before us would enable U.S. manufactures to fairly compete with goods which enter our stream of commerce. Goods supplied to the United States from nonmarket economies have a significant market advantage. Those goods receive multiple subsidies from their governments that allow them to be sold at a steeply discounted price in the United States and thereby gain a competitive advantage against products that are unsubsidized and manufactured in the United States.

Just think of a main street which employs hundreds of local workers. The main manufacturing plant on main street supplies both goods and services to the community. When outside goods and manufacturers, from nonmarket economies, compete with main street manufacturers by undercutting prices the result will be that manufacturers on main street will close. American workers will lose jobs and it will cause the death of main streets all over the country.

We must continue to support measures that will establish and ensure a level playing field for American workers and American companies. The issue before us is how to address goods from countries like China and Vietnam that have entered our stream of commerce, and compete with our business but have a significant market advantage because they are heavily subsidized.

I firmly believe in the importance of continuing a balanced trade relationship with China. Trade between the United States and China has expanded dramatically in the years since China acceded to the World Trade Organization in December 2001. In 2009, bilateral trade in goods totaled $366 billion, with U.S. imports from China totaling $296 billion and U.S. exports to China totaling $70 billion.

In my home State of Texas we have also increased our exports of goods to China. In the District I represent, the 18th Congressional District of Texas, we export chemicals, machinery, computers & electronics, fabricated metal products, and primary metal manufacturing. Yet, I can attest that more can be done to ensure that our trading relationship must improve.

Experts agree that the disparity in imports and exports has resulted in a U.S. goods trade deficit with China. In 2009, there was a trade deficit with China for $227 billion in which accounts for 45.3 percent of the overall U.S. goods trade deficit.

In trade in services, the United States runs a surplus with China, with exports to China of $16 billion in 2008 (the latest year for which numbers are available) and imports from China valued at $10 billion.

The United States' bilateral goods trade imbalance with China may be attributed to a variety of factors such as alleged unfair trade practices and their undervalued currency and their impact on the U.S. economy.

Chinese officials, who cite different figures for the bilateral trade deficit provided by the United States, routinely seek to shift some of the blame for the trade deficit to the United States by criticizing U.S. controls on exports of advanced technology. They further argue that the sharp increase in exports to the United States reflects the shifting of production from other countries to China and many ''made-in-China'' products contain components from other countries.

Since 2006, the U.S. government has repeatedly raised concerns about alleged backsliding in China's implementation of commitments it made as part of its 2001 accession to the World Trade Organization. Most prominently the problem of ''excessive trade-distorting government intervention intended to promote or protect China's domestic industries and state-owned enterprises.'' China's inadequate protection of intellectual property rights has also been a major concern. Under the Obama Administration, there have been four cases filed against China with the World Trade Organization, including three in 2010.

Those four cases relate to China's import substitution subsidies in the wind energy sector, its anti-dumping and countervailing duties on grain-oriented electrical steel from the United States, its restrictions on foreign suppliers of electronic payment services, and its restraints on exports of raw materials used in the steel, aluminum, and chemical sectors.

The White House reports, however, that it made progress on some long-standing trade issues with China at the December 2010 meeting of the U.S.-China Joint Commission on Commerce and Trade in Washington, D.C.

Currently, there are more than 300 anti-dumping and countervailing duty orders to shield American-made goods, from honey to bedroom furniture, against global competition it deems unfair and damaging to U.S. companies. About half the orders target iron and steel products.

China accounts for a third of all U.S. unfair trade cases, the most of any country, including about 100 anti-dumping and two dozen countervailing duty orders, according to the U.S. International Trade Commission.

The U.S. Commerce Department would be allowed to apply duties to offset government subsidies in nations such as China and Vietnam under this bipartisan bill.

H.R. 4105, overturns the decision of the Court of Appeals for the Federal Circuit and preserves the validity of the countervailing duty proceedings against imports from China and Vietnam, beginning in 2006. This would ensure that the Department of Commerce can continue to apply countervailing duty law (CDV) to non-market economies (NME), such as China and Vietnam. Countervailing duties aim to offset the benefits of government subsidies to industries. Anti-dumping (AD) duties apply to goods sold overseas at or below the price in the home country.

The legislation also addresses an adverse World Trade Organization (WTO) finding that there may be ''double remedies'' in situations where countervailing duties are applied to NME exports at the same time that anti-dumping duties calculated using the so-called ''surrogate value'' methodology are applied to the exports.

As a senior Member of the Judiciary Committee it is not without hesitation that I join my colleagues in overturning a court ruling. I believe in the deliberative process from the judiciary and I was pleased that the court entrusted Congress to act.

In 2007, the Department of Commerce began applying countervailing duty laws (CVD). This was after nearly 20 years of not applying CVD laws to import from NME countries. In 2007, Commerce began to impose CVDs to imports from China, a country which it has long been considered to be a NME for the purposes of Anti-dumping /CVD laws.

The legality of applying both CVD/and AD laws to Chinese goods was first tested in the U.S. Court of International Trade (CIT) in 2009, when the CIT found that Commerce's approach unreasonable. *GPX Int'l Tire Corp.* v. *United States*, 645 F. Supp. 2d 1231, 1242–1243 (Ct. Int'l Trade 2009).

The CIT ruled that the prospect of a double remedy is likely when CVD duties are imposed at the same time as the NME AD duties. As the CIT explained, ''the NME AD statute was designed to remedy the inability to apply the CVD law to NME countries, so that subsidization of a foreign producer or exporter in a NME country was addressed through the NME AD methodology.''

The CIT instructed Commerce ''. . . to forego the imposition of CVDs on the merchandise at issue or for Commerce to adopt additional policies and procedures to adapt its NME AD and CVD methodologies to account for the imposition of CVD remedies on merchandise from the PRC.'' GPX Int'l Tire Corp. v. United States.

Commerce was unable to find a reasonable methodology to prevent the likely double-counting outcome and, under protest, it complied with the CIT's order not to apply CVDs on imports of tires from China, but appealed the CIT decision.

The Federal Circuit affirmed the holding of the Court of International Trade that such countervailing duties could not be collected but did so on different grounds. Without this legislation the Department of Commerce will be required to stop imposing countervailing duties on goods imported from nonmarket economies (NME).

Rather, in affirming the CIT's judgment, the CAFC held more broadly that the legislative history of the U.S. CVD laws, Commerce's longtime practice up to 2007 of not applying CVD law to NMEs, and the CAFC's 1986 opinion in Georgetown Steel Corp. v. United States, compel the interpretation that the CVD statute cannot be applied to NME countries. The CAFC reasoned that the earlier interpretation was considered and adopted by Congress, when Congress amended the Trade Act of 1930 in the 1988 Trade Act, and again in 1994 when it reenacted most of CVD law while making changes to conform U.S. law to its international obligations as part of the Uruguay Round Agreements Act. The Federal Circuit stated:

> We thus find that in amending and reenacting the trade laws in 1988 and 1994, Congress adopted the position that countervailing duty law does not apply to NME countries. Although Commerce has wide discretion in administering countervailing duty and antidumping law, it cannot exercise this discretion contrary to congressional intent.

It is a broader ruling from several points of view, which, in practice, may succeed in providing more clarity on the issues than if the CAFC had affirmed GPX by adopting the CIT's rationale. First, the CAFC did not distinguish between NME countries, as Commerce did in 2007 when it found that CVD law can be applied to China. In essence the CAFC's opinion tells Commerce that it cannot have it both ways: where the agency makes a determination that a country is a NME, it does not have authority to assess CVDs on imports from that country. Second, GPX involved an

alleged ''domestic subsidy,'' which generally benefits both domestic and exported goods, as opposed to an ''export subsidy'' which applies only to exports. The CIT's opinion in GPX may have not prevented Commerce from countervailing export subsidies in other cases. However, the CAFC's language does not distinguish between subsidies and holds that ''countervailing duty law does not apply to NME countries.'' Third, as noted supra, the CAFC did not adopt the CIT's reasoning of double-counting of remedies. The CIT's reasoning left open the possibility that Commerce may come up with a methodology that somehow eliminates double-counting, while imposing both ADs and CVDs on imports from a NME. The CAFC's decision in GPX closed that possibility by explicitly stating that one cannot apply CVD law to a NME country. In short, had the CAFC adopted the CIT's reasoning in GPX, it is possible that some of Commerce's authority to proceed with CVD investigations—albeit on a much more restricted scale—would have survived. However, the CAFC's decision, once final, will compel Commerce to cease its current CVD practice with respect to countries designated as NMEs.

The problems raised by this decision has been addressed by this legislation. As H.R. 4105 amends the Tariff Act of 1930 regarding the imposition of countervailing duties on imports into the United States from a country subsidizing, directly or indirectly, the manufacture, production, or export of merchandise which materially injures a U.S. industry or threatens to.

Declares that merchandise on which countervailing duties must be imposed includes merchandise from a nonmarket country, unless the administering authority cannot identify and measure subsidies provided by the government of the nonmarket economy country (or a public entity within its territory) because the economy of that country is essentially composed of a single entity.

Requires the administering authority to reduce the antidumping duty on a class or kind of merchandise from a nonmarket economy country in cases where: (1) such country (or a public entity within its territory) has provided the merchandise with a countervailable subsidy (other than an export subsidy), (2) the subsidy has reduced the average price of imports of that class or kind of merchandise during the relevant period, and (3) the extent to which the subsidy, in combination with the use of normal value, has increased the weighted average dumping margin for such merchandise can be reasonably estimated.

Requires the administering authority, in such cases, to reduce the antidumping duty by the amount of the increase in the weighted average dumping margin estimated (but not by more than the portion of the countervailing duty rate attributable to the countervailable subsidy).

FACTS

Antidumping and countervailing duty laws are administered jointly by the U.S. International Trade Commission and the U.S. Department of Commerce.

Currently, the U.S. International Trade Commission (USITC) determines whether articles from China are being imported into the United States in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products. If the Commission makes an affirmative determination, it proposes a remedy. The Commission sends its report to the President and the U.S. Trade Representative. The President makes the final remedy decision.

When China entered the WTO in 2001, it agreed to allow the United States to continue to treat it as a non-market economy for 12 years (codified in U.S. law under Sections 421 of the 1974 Trade Act, as amended) for the purpose of U.S. safeguards. This provision enables the United States (and other WTO members) to impose restrictions (such as quotas and/or increased tariffs) on Chinese products when imports of those products have sharply increased and have caused, or threaten to cause, market disruption to U.S. domestic producers.

Under the Bush Administration on six different occasions chose not to extend relief to various industries under the China-specific safeguard, even though in four cases the U.S. International Trade Commission (USITC) recommended relief. A number of U.S. industries and labor groups have called on the Obama Administration to utilize the China safeguard provision, especially in the face of the current U.S. recession and because of ''unfair'' Chinese trade practices.

Countervailing duty (CVD) laws give a similar kind of relief to domestic industries that have been, or are threatened with, the adverse impact of imported goods that have been subsidized by a foreign government or public entity, and can therefore be sold at lower prices than similar goods produced in the United States. The relief provided is an additional import duty placed on the subsidized imports.

Currently, there are more than 300 antidumping and countervailing duty orders to shield American-made goods, from honey to bedroom furniture, against global competition it deems unfair and damaging to U.S. companies. About half the orders target iron and steel products.

China accounts for a third of all U.S. unfair trade cases, the most of any country, including about 100 anti-dumping and two dozen countervailing duty orders, according to the U.S. International Trade Commission.

STORY OF SOLAR CELL AND PANEL INDUSTRY

China exports the vast majority of its solar products, and has a small domestic market. Chinese exports of crystalline silicon solar cells and panels to the United States rose more than 350 percent from 2008 to 2010. Exports in July 2011 alone exceeded those from all of 2010.

The continued push of massive volumes of dumped Chinese cells and panels, along with growing margins of underselling at artificially and illegally low prices, ultimately caused market pricing in the United States to collapse in 2011—with an average worldwide price decline of 40 percent—despite a growing market for these goods.

Chinese subsidies caused the price collapse and has had a devastating impact on the U.S. solar cell and panel industry, resulting in shutdowns, layoffs, and bankruptcies throughout the country. Over the past 18 months, seven solar plants have shut down or downsized, eliminating thousands of U.S. solar manufacturing jobs in Arizona, California, Massachusetts, Maryland, New York, and Pennsylvania.

China does not have a production cost advantage—labor accounts for only 10 percent of solar panel production costs, and China actually imports U.S. raw materials and equipment. Further, China's extra shipping costs and comparatively lower labor productivity make its pricing impossible without illegal subsidization and dumping.

OVERVIEW H.R. 4105

H.R. 4105 is a direct response to a December 19, 2011, decision by the United States Court of Appeals for the Federal Circuit. The Court found that certain countervailing duties levied by the Department of Commerce on tires imported from China should not have been assessed because countervailing duty law does not apply to the context of a nonmarket economy (NME) such as China's. The United States Court of International Trade originally ruled that the prospect of a double remedy is likely when CVD duties are imposed in parallel with NMEAD duties.

The Federal Circuit affirmed the holding of the Court of International Trade that such countervailing duties could not be collected, but did so on different grounds. If this ruling is allowed to stand then U.S. manufacturers would be adversely affected, thousands of american workers could lose their jobs, and the Commerce Department would not be able to affectively address unfair trade practices.

HUMAN RIGHTS VIOLATIONS

I would be remiss if I did not mention today the importance of not only establishing a fair and positive trade relationship with China, but also ensuring that our trade partner continues to address human rights issues.

In the past several years, the People's Republic of China had enacted some laws aimed at reducing human rights abuses, including those related to the use of torture, the death penalty, and labor conditions. It also has promulgated legislation protecting property rights and promoting government transparency, and developed mechanisms for soliciting public input in the policy-making process.

However, the enforcement of human rights protections remains weak and arbitrary. The People's Republic of China's leadership has instituted few real checks on its power and remains extremely sensitive to social instability, autonomous political activity, and potential challenges to its authority.

In the past two years, the government has cracked down upon human rights lawyers, social organizations, and Internet use. Major ongoing problems include the following: excessive use of violence by security forces and their proxies; unlawful detention; torture; arbitrary use of state security laws against political dissidents; coercive family planning policies; state control of information; and harassment and persecution of people involved in unsanctioned religious activities, including worship in unregistered Protestant ''house churches'' and Catholic churches that express loyalty to the Pope. Many Tibetans, ethnic Uighur (Uygur) Muslims, and Falun Gong adherents have been singled out for especially harsh treatment. The Congressional-Executive Commission on China has documented 1,452 cases of political and religious prisoners known or believed to be under detention.

As we move forward in addressing the needs of American workers and American business, we must continue by leveling the playing field against highly subsidized nonmarket economy good through the application of countervailing duty and antidumping as laws. And, as we build trade relationships with

China, Vietnam, and other Global partners they must be balanced relationships. We must also remember to ask of our partners to strongly advocate for fair trade, fair labor practices, and stress the importance of human rights. The advancement of human rights is an important American value. Today, marks the opportunity for American workers to breathe a sigh of relief, that their jobs are not going to be jeopardized by goods manufactured outside of the United States that have an unfair competitive advantage.

Mr. DINGELL. Madam Speaker, I rise in very strong support of H.R. 4105. I am an original co-sponsor of this wonderfully common-sense bill, which will permit the Department of Commerce to apply countervailing duty orders to non-market economies like China. While the term, ''countervailing duty order,'' is not one on the tip of every American's tongue, it is an extraordinarily important trade enforcement tool. In times like these, we need to be able to use our trade laws to the fullest extent, so we can protect jobs at home and ensure our trading partners play by the rules.

H.R. 4105 is a bipartisan, bicameral bill that will be signed into law by President Obama. It is another step in the right direction for American trade, and it is one that is fully consistent with our World Trade Organization obligations. A flawed decision by the Court of Appeals for the Federal Circuit weakened our country's ability to protect itself from unfair trade practices, and H.R. 4105 will fix it. Most importantly, the bill will help workers and businesses in my home State of Michigan compete fairly on a level playing field.

I commend my good friends, Messrs. CAMP, LEVIN, BRADY, and MCDERMOTT for introducing H.R. 4105, and I congratulate House leadership for bringing it to a vote so expeditiously. I urge my colleagues in the Senate to act swiftly, so we can send this measure to President Obama for his signature.

Vote ''yes'' on H.R. 4105.

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to ask my colleagues to join me in support of domestic manufacturing, middle class jobs, and American in-sourcing by voting in favor of H.R. 4105.

Last December, the U.S. Court of Appeals for the Federal Circuit ruled that the Commerce Department could not apply countervailing duties (CVDs) on imports from nonmarket economies. If this ruling were allowed to stand, it would terminate 23 existing CVD orders on certain imports from China and one from Vietnam.

H.R. 4105 would reverse the court's ruling and make clear the intent of Congress to allow CVDs to be applied to non-market economies.

Several of the endangered CVD orders provide relief to steel and pipe manufacturers, many of which, including VAM Drilling, V&M Star, and TMK IPSCO, are located in or near the 29th District of Texas.

These manufacturers, and the dozens like them throughout the country, have witnessed unfair competition on a mass scale in recent years due to the large subsidies provided by the Chinese government towards their domestic industries.

Without these countervailing duties, tens of thousands of well-paying, middle class jobs would be threatened around the country, including several thousand in the 29th District alone.

As our Nation's economy continues to recover from the Great Recession, and American industry rebounds from a decade of outsourcing and unfair competition, it is important that this Congress support domestic manufacturing and good paying jobs by voting in favor of H.R. 4105.

Mr. TURNER of Ohio. Madam Speaker, the December 2011 ruling by the U.S. Court of Appeals for the Federal Circuit bars the Department of Commerce from applying countervailing duties (CVDs) on goods produced by heavily subsidized foreign companies from non-market economy countries like China and Vietnam.

This ruling is a significant blow to U.S. manufacturers and workers. If action is not taken to remedy the situation, the Department of Commerce could likely be forced to terminate 24 existing CVD orders against unfairly subsidized products from China and Vietnam, including a CVD order to help companies and families in southwest Ohio.

In my community, paper manufacturers New Page, SMART Papers and Appleton Papers, petitioned the International Trade Commission to levy CVDs on subsidized imports of coated fresh-sheet paper from China and Indonesia. In 2008, NewPage was forced to close its sheeting facility for coated paper due to these unfair trade practices, resulting in a loss of 175 Ohio jobs. Just recently, Appleton Papers announced it would cut 330 jobs from the West Carrolton plant in my Dayton community as it struggles against unfair competition.

I strongly backed the application of CVDs against this unfair trade practice and testified before the ITC in support of the petition, which was unanimously approved in 2010. However, the court's recent ruling could negate the ITC's unanimous action and threaten more jobs in my community.

Madam Speaker, we must move swiftly to ensure U.S. manufacturers and workers can compete on a level playing field in the global marketplace. That is why I am an original co-sponsor of H.R. 4105, bipartisan legislation that confirms the Department of Commerce may continue to apply CVDs against unfairly subsidized imports from nonmarket economies like China.

At the same time, with 95 percent of consumers overseas, it is essential that U.S. companies have the opportunity to export their products. U.S. exporters face many non-tariff barriers that violate existing trade agreements, hampering the ability of U.S. companies to access foreign markets and create jobs. My bill, H.R. 3112, the Trade Law Enforcement Act, provides an affordable way for U.S. companies to have their market access complaints investigated and resolved in a manner consistent with U.S. international obligations.

Madam Speaker, I strongly support H.R. 4105 and urge my colleagues to vote yes on this important legislation. I also urge my colleagues to support and co-sponsor my bill, H.R. 3112, to help U.S. manufacturers reach new consumers abroad and spur job creation right here at home.

Mr. VISCLOSKY. Madam Speaker, I rise in support of H.R. 4105, a measure that will apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries.

Steelworkers and manufacturers in Northwest Indiana need every tool available to them to combat duplicitous trade practices, and this legislation is critical to preserving their ability to combat such practices by countries such as China.

I applaud the expeditiousness of the House Ways and Means Committee and the House leadership in bringing this important legislation to the floor, and I urge my colleagues to vote ''aye.''

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and pass the bill, H.R. 4105.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 2842, BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT OF 2011

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 570 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 570

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. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, 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 Natural Resources. 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 Natural Resources now printed in the bill. Each section of 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: (1) those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII dated at least one day before the day of consideration of the amendment; and (2) pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. 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.

SEC. 2. The chair of the Committee on Financial Services is authorized, on behalf of the committee, to file a supplemental report to accompany H.R. 3606.

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

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

GENERAL LEAVE

Mr. BISHOP of Utah. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to 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. This resolution provides for a modified open rule for the consideration of H.R. 2842, succinctly titled the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011. It provides for 1 hour of general debate equally divided between and controlled by the chairman and ranking member of the Committee on Natural Resources and makes in order all amendments which were preprinted in the CONGRESSIONAL RECORD and which otherwise comply with the rules of the House.

□ 1310

So this modified open rule is a very fair and generous rule—a continuation of the work of Chairman DREIER and the Rules Committee—and will provide for a balanced and open debate on the merits of the bill.

Madam Speaker, I am pleased to stand before the House today in support of this rule, as well as the underlying legislation, H.R. 2842. I appreciate the hard work of the bill's chief sponsor, Mr. TIPTON of Colorado, as well as Mr. GOSAR of Arizona, one of the cosponsors, Representative MCCLINTOCK of California, who is the chairman of the subcommittee that held the hearings on this bill, and of course Chairman HASTINGS of the Resource Committee, who brought this bill forward as one of the companion pieces of the myriad of pieces of legislation which, if enacted, would greatly improve our Nation's energy policy and provide for a responsible and balanced approach to further energy development.

With that, Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. I thank the gentleman from Utah for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, in my home State of New York, unemployment continues to remain stubbornly high. Thousands of Americans have given up looking for work altogether. For many, unemployment benefits have expired, and there is little hope that a paycheck will soon be a regular part of daily life.

Despite this dire economic reality, once again we are going through a bill that has nothing to do with job creation. Instead, we have piecemeal proposal after piecemeal proposal to do more to further ideological goals than create jobs.

Instead of creating jobs, today's bill would clarify lines of authority for two government agencies. Is this a worthy goal? Maybe. Some say yes. But does it create thousands of American jobs? The answer is clearly no.

As they have with so many other bills, the majority has also inserted unnecessary partisan language into today's bill language that attacks existing environmental law for no good reason. Specifically, it provides a categorical exemption for all small hydropower projects from National Environmental Policy Act compliance. There is no clear reason for this exemption from environmental protection.

Currently, hydropower projects that don't raise substantive environmental concerns have always been approved relatively quickly. From 2006 to 2010, 13 exemptions were completed in less than a year each. In 2011, there were nine exemptions that were granted in an average of 40 days. Yet, despite seeing a system that works relatively well, the majority decided to once again put industry before the environment and include this controversial provision. This approach may fill a legislative calendar, but it fails to create jobs for the American people.

We could be considering a 5-year surface transportation bill, which everybody's waiting for, something we were supposed to consider weeks ago. A well-written and bipartisan bill—and all the transportation bills from the Eisenhower administration up to now were always bipartisan bills—would have created thousands of American jobs; but, once again, no such bill has come to the floor. Instead, they were forced to pull a proposed surface transportation bill because they had alienated Members of their own party with extreme provisions that would decimate public transportation and fail to create jobs.

Now we continue to wait as the majority works to write a reasonable transportation bill that will actually create jobs. In the meantime, we consider bill after bill that does nothing to create the many thousands of jobs that are so desperately needed.

Madam Speaker, the record is clear. When the majority pushes partisan politics over good governance, the American people lose. Today is the latest in a long line of such partisan bills, and yet one more day when the American people will go without new American jobs.

I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. MCCLINTOCK), who is the chair of the subcommittee that heard this particular bill.

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Madam Speaker, this rule brings to the floor one of the most simple and sensible bills on energy development that we have yet heard. It is H.R. 2842, offered by the gentleman from Colorado (Mr. TIPTON).

What it promises is this: At precisely no cost to taxpayers, freeing up absolutely clean electricity on a scale so vast that it would take several hydroelectric dams to duplicate, simply by relaxing the regulatory stranglehold, simply by getting government bureaucrats out of the way, this bill has the potential of adding thousands of megawatts of absolutely clean and renewable electricity to the Nation's energy supply, reducing utility bills, reducing reliance on fossil fuels, and, to answer the gentlelady from New York, adding thousands of permanent high-paying jobs to the Nation's economy. All that is necessary for this to happen is for government bureaucrats to get out of the way and allow people to place small hydroelectric generators in thousands of miles of existing pipelines, canals, and aqueducts.

This doesn't involve new construction. The facilities are already there. It doesn't involve any adverse impact to the environment. These are water pipes and canals in which there are no fish of any kind. And yet this administration forces water users and developers to go through a lengthy, costly, and pointless environmental review process that literally doubles the cost of these projects and makes them cost prohibitive.

The reason there are so few applications is because the requirements of this absurd law simply make these projects cost prohibitive, and it simply doesn't make sense to move forward with them. This bill simply says this: You don't need to go through that nonsense anymore.

Now, why isn't this bill being taken up on suspension? It would be one of the all-time no-brainers. It passed the Natural Resources Committee on a bipartisan vote. The reason that this debate is required is because this commonsense legislation is vigorously opposed by the environmental left; that is the measure of extremism from which this movement now suffers. Perhaps the best way to alert the American people to this extremism is through debate that this rule makes possible.

A generation ago, in the 1960s, electricity was so cheap that some communities didn't even bother with electricity meters, and there's a reason for

that. In those days, we were building hydroelectric dams that not only protected us from floods and droughts, but that delivered electricity for as little as 3 cents per kilowatt hour. At that price, an average household's electricity bill would come to about $30 a month. That dream seems surreal today.

Today, government regulations are literally threatening the ability of this Nation to generate sufficient electricity to keep people's air conditioning and refrigerators running in the summer, just as similar policies prevent Americans from prospering from our vast petroleum reserves and nuclear power potential.

It's no coincidence that the States with the most stringent regulations also have the highest electricity prices and the sickest economies. People of my State of California, the land of vast unrealized hydroelectric potential and a pioneer in nuclear power, now use less electricity per capita than any other State in the Union, and yet we pay among the highest electricity prices in the country. We also suffer from one of the highest unemployment rates in the country, despite ceaseless empty promises of green jobs.

Now along comes this bill by Mr. TIPTON of Colorado that does everything the environmental left claims it likes: It produces absolutely clean and renewable electricity in vast quantities at precisely no cost to taxpayers. It requires no new construction. All that's necessary to achieve this is to put small generators in existing pipelines and canals that have already passed environmental review and pose no conceivable environmental impact. Yet, instead of embracing this measure, these radical elements instead throw a conniption fit.

Well, let them do that in public. Let the American people see this debate. Let them see for themselves the nihilistic ideology behind this movement and how it is practiced by those in this Congress who share and support it, and then let the American people judge. I think the debate over this bill will offer our fellow citizens a real insight into this movement, and I support the resolution that makes this debate possible.

Ms. SLAUGHTER. Madam Speaker, if we defeat the previous question—and I hope we will—I'm going to offer an amendment to the rule to provide that immediately after the House adopts the rule, we will bring up H.R. 964, the Federal Price Gouging Prevention Act.

To talk about our proposal, I am pleased to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

□ 1320

Mr. ANDREWS. I thank the gentlelady for yielding.

Madam Speaker, 180 days ago, the President of the United States came to this Chamber and laid out before the country and the Congress some very specific proposals to help put Americans back to work. The President proposed that we give a tax cut to small businesses who hire people. The House has never voted on that proposal. The President proposed that at a time when our bridges and roads and airports and ports need construction and reconstruction, that we put Americans back to work in the construction industry performing those vitally necessary tasks. The House has never voted on that proposal. At a time when police officers and firefighters and teachers are being laid off across our country, the President proposed some short-term relief so we could put our officers back on the beat, our firefighters back on the apparatus, our teachers back in the classroom. The House has never voted on that proposal.

Here we are 6 months later, doing what we're doing today. In that 6 months, another crisis has manifested itself, one that affects Americans across our country more severely every day, and that is each time they fill up their vehicle, it takes just a little bit more money out of their grocery budget, the utility budget, what they use to pay their mortgage payment, what they use to educate their children. The rising price of gasoline is a serious threat to the prosperity and stability of American families.

The president of Exxon has said that his conclusion is that about $30 of the cost of a barrel of crude oil is attributable to the speculation of prices by people who never really buy, sell or use oil, but who bet on its price: casino gamblers, not deliverers of oil. Goldman Sachs estimates that anywhere from $22 to $28 a barrel is also due to speculation, and they ought to know because they're no doubt participating in it.

The bill that we would propose be put on the floor this afternoon would crack down on that speculation. It would require that trades be disclosed; it would empower regulatory agencies to identify illegal price manipulation behavior; and reduce the price of crude oil to American consumers.

There are other ways to do this. I, for one, favor increased domestic production. I think there are ways that we can increase the natural gas and coal and oil that we produce. I certainly think that we should expand renewables as well. But there is one regulatory tool that we have not given our regulators and we ought to give it to them here. The underlying bill is certainly worthy of consideration, but we have an immediate energy problem here in America, an immediate jobs problem. And I would respectfully suggest that the right vote is to defeat the previous question so we may move on and consider legislation that would deal with the current price of gasoline prices.

Mr. BISHOP of Utah. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), the sponsor of this particular bill, who will talk about how to create real power using water resources that we have.

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

Mr. TIPTON. As a sponsor of this bipartisan legislation, I support the rule on H.R. 2842, and I encourage an open debate because I believe the merits of this bill will speak for themselves. H.R. 2842 is a bipartisan plan to authorize new hydropower production and streamline the regulatory process in order to create new American jobs.

Many rural water and irrigation districts and electric utilities in western States seek to develop hydropower on Bureau of Reclamation water canals and pipelines, but overburdensome and unnecessary regulations stand in the way and discourage investment in these projects. Most of these small projects are not currently authorized at Bureau of Reclamation canals and, as a result, they never get off the ground. Those that are currently authorized are subject to an additional review process under the National Environmental Policy Act even though the canals on which they are built have already gone through a full environmental review when they were constructed or rehabilitated.

H.R. 2842 authorizes the production of hydropower at all Bureau of Reclamation conduits; and by doing so, it allows placement of small hydropower generators on existing man-made canals and pipes that have already gone through the NEPA process. This authorization does not currently exist, and therefore hydropower development under current reclamation law will not happen unless Congress acts. This bill also eliminates duplicative red tape by exempting small hydropower projects on previously disturbed ground from going through an additional NEPA review. This bill does not apply to rivers, large dams, or natural-flowing waters in any way, and it will not impact endangered fish or wildlife.

In many cases, having to go through an additional unnecessary review process determines whether or not a hydropower project is economically feasible and, as a result, determines whether or not this country moves forward with the development of green energy.

Chris Treese of the Colorado Water District in the Natural Resources Committee testified on this bill and he stated:

> Environmental reviews under NEPA are universally time consuming and expensive. The River District's current experience with an environmental assessment on a non-construction action has taken over a year and nearly $1 million in outside expenses.

By eliminating this duplicative requirement, we can add power to the grid, provide an environment for job growth in rural America and return revenues to the Treasury. This commonsense piece of legislation has bipartisan cosponsorship and passed out

of the committee with bipartisan support. It's also been endorsed by the rural irrigators and electric utilities that operate the Bureau of Reclamation canals and know the issue best. These organizations include: the Family Farm Alliance, the National Water Resources Association, the American Public Power Association, and the Association of California Water Agencies.

I'm proud to offer this contribution to the House Republicans of the all-of-the-above energy strategy for America, and I look forward to a spirited discussion on how we can produce more renewable energy and put our people in this country back to work.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the gentlelady for yielding.

I rise in opposition to the rule and in support of moving the previous question. This motion would amend the bill with strong provisions to stop price gouging at the gas pumps.

We really are long overdue for a serious debate about gas prices. Scoring political points on this issue may make us all feel good, but it serves no one, particularly our constituents; and it certainly doesn't get us any closer to solving the problem.

Here are the facts: domestic production of oil in the United States is at an 8-year high; imports of oil into the United States are at a 17-year low; more oil rigs drill in the United States today than in the rest of the world combined. Let me say that again: there are more oil rigs at work in the United States today drilling for oil than in the rest of the world combined; the number of oil rigs in operation in the United States today has quadrupled since President Obama took office. Last year, the U.S. became a net exporter of oil for the first time in 62 years.

I think what these facts demonstrate very clearly is that this is not a supply-driven problem, nor—as good as it might feel to some—is this a problem that can be blamed on the administration for not doing enough to facilitate or encourage exploration for drilling.

This is not a demand-driven problem either. Demand is down 6½ percent in just 1 year and 17 percent since 2008.

There are several factors that contribute to rising gas prices, but U.S. supply and U.S. demand are not among them.

The gas prices in my district of eastern Long Island are up over 60 cents per gallon in just a matter of weeks. Rampant speculation accounts for most of that with over 60 percent of the market controlled by speculators. The speculators' overriding goal is profit-taking, which is what our legislation targets. There is nothing wrong with profits. Profits are what made our Nation strong. But when profits are pursued at the expense of middle class families or at the expense of our fragile economic recovery, we need to take action.

This legislation makes sure that we do cut out speculators. It strengthens penalties for manipulating the market, which forces up gas prices and leads to price gouging. After we cut out speculators, we should cut out the subsidies for Big Oil, and we should reinvest those dollars in a long-term strategy focused on clean and renewable sources.

Mr. Speaker, our debate should focus on a green-energy policy free of market speculation and subsidies our Nation can't afford. We must tackle this problem rather than using it to point fingers and try to score points. Thus I encourage my colleagues to vote ''no'' on the previous question and vote ''no'' on the rule.

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

I advise my colleague that I am prepared to close.

Ms. SLAUGHTER. Madam Speaker, I yield myself the balance of my time.

Millions of Americans remain out of work, countless more run out of unemployment assistance, and meanwhile gas prices continue to rise on every American family; and they are turning to us for much needed relief.

Today's bill does nothing to address these pressing economic issues. Instead, we're doing more busy work on the floor today, preparing to consider a bill that clarifies the responsibility for two government agencies. This type of bill does little to create the many thousands of jobs needed to begin reviving our economy.

I urge my colleagues to end the long delay and finally bring forth two American job-creation legislations so that American families can live with some hope.

□ 1330

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Mr. BISHOP of Utah. Madam Speaker, I yield myself such time as I may consume.

I am grateful that we have found new sources of energy, specifically oil and natural gas, on private property because it has not allowed the Federal Government to stop the development of those, and that is the growth that we have seen in recent times.

However, it is interesting to note that the bill before us, which deals with hydropower and development of more hydropower, is a bipartisan bill and for just cause. We can both agree, on both sides of the aisle, that there is a great need for more energy, and that greater, cheaper energy is vital to the growth of the economy and the growth of jobs. That's what this bill tries to do.

Frequently in this House, we have brought bills that have tried to increase our offshore drilling on Federal property. We have talked about the Keystone pipeline and the ability of 20,000 high-paying jobs if it were just permitted. We have talked about trying to increase domestic energy production on public lands that have been put off-limits by this particular administration. Those efforts we have dealt with. We have passed through this House. They're over sitting in the Senate waiting for action. And today we add to that effort with a significant bill that will add to our hydropower and hydroenergy that once again comes along with this.

But the problem that we have and the reason why this bill is here before us, if I can summarize, is, simply, our efforts to add this kind of energy to our portfolio are being stopped by special interest groups and, unfortunately, layers of bureaucracy.

It was Nelson Rockefeller who came up with the great line of calling the deadening hand of bureaucracy on proposals and programs; and, indeed, we see that and we feel it today as we are having a harder time trying to be energy independent, and we are feeling the results of the Federal Government's program to stop energy production on Federal lands and Federal property every time we fill up our cars and, unfortunately, every time we pay our electrical bills.

Now, it is bureaucratic manipulation that is causing this problem and why this bill is here. Look, it was the energy debate and the energy bill of 2005 that told the Federal Government to move forward in this area with making sure that we had a master plan for hydrological development of energy. Seven years later, now the Federal Government and our Department of the Interior is starting to move forward in that direction, which is either the old cliche of paralysis by analysis or the fact that Rockefeller was right when he called the bureaucracy a deadening hand on programs and progress.

One particular program, the Klamath River, took 5 years for government to decide who actually had the authority to move forward on the project. That is the kind of bureaucratic analysis, that's the kind of red tape that is slowing back our efforts to develop this type of energy, and we need it desperately.

That's why H.R. 2842 is here, to develop small projects that will add to our total energy portfolio and add to our independence. It stops and simplifies a regulatory process which unfortunately costs these small efforts, these small entities trying to make these efforts tens of thousands of dollars just to do the paperwork. It's ridiculous.

It clarifies the role of the Bureau of Reclamation on this area. This only

deals with Bureau of Reclamation projects on manmade facilities, but the jurisdictions are not clear. Some jurisdictions have been mandated by Congress; some are administrative; some are questions on whether FERC has responsibility, the Bureau of Reclamation has responsibility. That is causing our slowing in developing these projects. This bill clarifies what that role is.

It also clarifies NEPA, that you don't have to do a second NEPA on these small jobs. Anything greater than 1.5 megawatts of production, you do the analysis again. But for small projects, on man-made property where the land has already been disturbed and already has had an analysis done and the mitigation has already taken place, we move on and do the job.

The Bureau of Reclamation does have a right of categorical exclusion, but they won't do it. All they're saying is, We may start thinking about it some time in the future.

Let me give you an example. There are three specific projects in the neighboring State of mine. One was mandated by Congress in 1990. They are still starting the process because of that administrative red tape. Two other projects took a full year for them to decide to actually start going through a process, and when they did it, they realized there was no change; it had already been done before. All you did is take a year to check off the box and do the expense with it. We had somebody from Arizona come in and testify that the administrator review cost more than the actual construction of the project. That's silly. That is ridiculous,

H.R. 795 deals with this same issue on non-Federal land. This bills deals with this same issue on existing Bureau of Reclamation projects. It's a commonsense development to get an untapped resource that we need to develop. It would not significantly enlarge the environmental footprint because these are already man-made entities who have already gone through the NEPA process once, and there is no rational reason to reinvent the wheel and do it a second time only to find out they were right the first time.

What would be the benefit from this bill?

First of all, new sources of clean energy to add to our portfolio.

Second, we can facilitate small projects to help offset carbon-based irrigation pumping in the West.

Third, it would help reduce the cost of energy. It would produce a cash flow to irrigation districts so they could actually increase and pay for and improve their aging infrastructure and modernize these water facilities.

Fourth, it does create jobs, and for once we have a bill that actually increases revenue coming into the government from this. CBO has estimated, the Congressional Budget Office, that this will generate $5 million in additional revenue coming into the government. So not only can we create more energy, we can do the right thing, we can fix our infrastructure, but we actually make money that comes into the government to help with other issues.

There is a reason this is a bipartisan bill: because it's the right thing to do.

There is a reason why we should move forward with this bill: because it taps a valuable resource that will go to waste if we do not do it.

There is a reason that this bill is here: to speed up the regulatory red tape, to cut through the cost, to make things happen and help us move forward as a Nation with better energy development and energy independence.

There's a whole bunch of good reasons for this bill, and that's why I support the bill, and I also support the rule that will make it possible to give a good and fair open balance to this debate.

With that, this is a good bill and an incredibly fair rule. I urge the adoption.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 570 OFFERED BY MS. SLAUGHTER OF NEW YORK

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 964) to protect consumers from price-gouging of gasoline and other fuels, 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 Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

Ms. SLAUGHTER. Madam 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.

APPLYING COUNTERVAILING DUTY PROVISIONS TO NONMARKET ECONOMY COUNTRIES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4105) to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—yeas 370, nays 39, not voting 24, as follows:

[Roll No. 96]

YEAS—370

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

NAYS—39

Amash
Bachmann
Broun (GA)
Burgess
Canseco
Chaffetz
Duncan (SC)
Fincher
Flake
Fleming
Flores
Franks (AZ)
Gardner
Garrett
Gosar
Graves (GA)
Hall
Harris
Hensarling
Huelskamp
Jordan
Kingston
Lamborn
Lance
Mack
McClintock
Mulvaney
Nugent
Pearce
Pompeo
Quayle
Scalise
Schmidt
Schweikert
Scott (SC)
Southerland
Stearns
Walsh (IL)
Yoder

NOT VOTING—24

Bishop (NY)
Bishop (UT)
Campbell
Cardoza
Davis (IL)
Doggett
Fattah
Fudge
Gohmert
Hinojosa
Kaptur
King (IA)
Kucinich
Labrador
McCotter
Miller (FL)
Moore
Paul
Payne
Perlmutter
Rangel
Schwartz
Speier
Visclosky

□ 1408

Mrs. BACHMANN, Messrs. STEARNS and KINGSTON changed their vote from ''yea'' to ''nay.''

Mr. DEUTCH, Mrs. EMERSON, and Mr. SARBANES changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PERLMUTTER. Mr. Speaker, on rollcall No. 96, I was unavoidably detained and missed voting on H.R. 4105. Had I not been detained, I would have voted "yea."

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 96, had I been present, I would have voted "yea."

MOURNING THE PASSING OF CONGRESSMAN DONALD PAYNE

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

Mr. SMITH of New Jersey. Mr. Speaker, it is with deep sorrow that I inform the House that our dear friend and colleague, DON PAYNE, has passed. He had colon cancer.

In a few moments a privileged resolution will be offered on the floor that recognizes and honors this extraordinary man who dedicated his entire life to public service, a man who made a significant difference in the lives of many in his district, in our State, in the Nation, and in the world.

Elected in 1988, after first serving as a Newark city councilman and Essex County freeholder, this high school teacher and coach-turned-politician went on to be the first African American ever to serve in Congress from the State of New Jersey.

DON fought tenaciously to combat the HIV–AIDS pandemic and mitigate the loss of life and morbidity from TB and malaria on the subcontinent of Africa. He coauthored the Sudan Peace Act and worked tirelessly to end the genocide in both South Sudan and Darfur. As a matter of fact, he even risked his life in Somalia—was shot at—in the pursuit of peace.

I know firsthand, Mr. Speaker, how much he truly cared and how hard he worked for peace and reconciliation in war-ravaged nations. I served as the ranking member of the Africa Subcommittee when he chaired it, and he served as the ranking member when I chaired it.

Finally, let me just say that DON PAYNE also served as chairman of the Congressional Black Caucus, and until his untimely death today, chairman of the Congressional Black Caucus Foundation. He was predeceased by his wife, Hazel. DON is also the proud father of three, grandfather of four, and great grandfather of one.

DONALD PAYNE, Mr. Speaker, will be missed.

I yield to my good friend and colleague, Mr. PALLONE.

Mr. PALLONE. I thank my friend.

Mr. Speaker, I can't believe that DON PAYNE is not with us today. I'm looking over there where he would often

sit, and I would come down on the floor and ask him to do a 1 minute or a Special Order.

□ 1410

He was very proud of his African American roots, and it was one of the reasons that he would often go to Africa and champion so many causes for those in Africa.

DON cared so deeply about his hometown of Newark and the other towns that he represented. He was always looking out for those in need—the disadvantaged and the poor. Those were the people that he cared about, and he spent so much time trying to deal with their problems and making their lives better.

I think more than anything else I remember DON's smile. DON always felt that things could get better and that we could work together. I think a lot of people don't know that his district was very diverse. There were many African Americans, but there were many people of other nationalities. We would often talk about the Italian Americans that he had lived with, grew up with, and worked with in his district.

DON always felt that we could have a better world, that Democrats and Republicans could work together and that people could work across ethnic and racial barriers. And he always made me feel, no matter how down I was on a particular day, that this place was important and that we can make a difference in people's lives. So I will sorely miss him.

I would ask that this afternoon, at the end of the day, at approximately 4 o'clock, we have unlimited 1 minutes, and we're going to have a bipartisan hour Special Order where Members can come down and pay tribute.

MOMENT OF SILENCE

Mr. SMITH of New Jersey. Mr. Speaker, I do ask for a moment of silence to remember our dearly departed friend, DON PAYNE.

The SPEAKER. Members and guests will rise and observe a moment of silence.

EXPRESSING THE CONDOLENCES OF THE HOUSE OF REPRESENTATIVES ON THE DEATH OF THE HON. DONALD M. PAYNE, A REPRESENTATIVE OF THE STATE OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 571

Resolved, That the House has heard with profound sorrow of the death of the Honorable Donald M. Payne, a Representative from the State of New Jersey.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of applicable accounts of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the passing of the gentleman from the State of New Jersey (Mr. PAYNE), the whole number of the House is 433.

PROVIDING FOR CONSIDERATION OF H.R. 2842, THE BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT AND RURAL JOBS ACT OF 2011

The SPEAKER. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 570) providing for consideration of the bill (H.R. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal reclamation law, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 232, nays 177, not voting 24, as follows:

[Roll No. 97]

YEAS—232

Adams
Aderholt
Akin
Alexander
Amash
Amodei
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
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
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
Gingrey (GA)
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
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
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 (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
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
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 (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kissell
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
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
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)	Towns	Waters
Stark	Tsongas	Watt
Sutton	Van Hollen	Waxman
Thompson (CA)	Velázquez	Welch
Thompson (MS)	Walz (MN)	Wilson (FL)
Tierney	Wasserman Schultz	Woolsey
Tonko		Yarmuth

NOT VOTING—24

Campbell	Kaptur	Paul
Cardoza	King (IA)	Payne
Coble	Kucinich	Rangel
Doggett	Labrador	Roskam
Fudge	LaTourette	Speier
Gibson	McCotter	Visclosky
Gohmert	Miller (FL)	Wilson (SC)
Hinojosa	Moore	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1434

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. VISCLOSKY. Mr. Speaker, on March 6, 2012, I was absent from the House and missed rollcall votes 96 and 97.

Had I been present for rollcall 96, on a motion to suspend the rules and pass H.R. 4105, to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, I would have voted "yea."

Had I been present for rollcall 97, on ordering the previous question of H. Res. 570, providing for consideration of the bill H.R. 2842, to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes, I would have voted "nay."

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to a family emergency, I missed the following rollcall votes: No. 96 and No. 97 on March 6, 2012.

If present, I would have voted: rollcall vote No. 96—H.R. 4105—To apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes, "nay"; rollcall vote No. 97—Previous Question, Providing for consideration of H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act, "yea."

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3610 AND H.R. 3611

Mr. CLAY. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3610 and H.R. 3611.

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

There was no objection.

BUREAU OF RECLAMATION SMALL CONDUIT HYDROPOWER DEVELOPMENT ACT OF 2011

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 2842.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 570 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. 2842.

□ 1434

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. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal reclamation law, and for other purposes, with Mr. CHAFFETZ in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. HASTINGS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

Mr. Chairman, I rise in strong support of H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011. It authorizes hydropower at existing Bureau of Reclamation facilities and, by doing so, it allows placement of hydropower generators on existing man-made canals and pipes that have already gone through extensive environmental review.

This is a bipartisan plan to create new American jobs, cut government red tape, and expand production of clean, renewable and low-cost hydropower.

This past weekend President Obama once again tried to claim support for an all-of-the-above energy production, but unlike President Obama's empty rhetoric, House Republicans are taking real action to prove our commitment to expanding all forms of American energy.

Americans have now experienced 27 consecutive days of rising gas prices, and now the national average is pushing closer to $4 a gallon. In order to address the skyrocketing prices, Republicans will continue to pursue an all-of-the-above approach that responsibly develops the natural resources that we have right here at home.

The facts are, Mr. Chairman, we have followed through on this commitment by passing through the House bipartisan reforms to break down government barriers to American energy production. Just weeks ago, the House passed a bipartisan jobs plan to vastly expand access to our oil and natural gas resources offshore and in ANWR. Today we're putting forth a plan to expand production of clean, renewable hydropower.

As families and small businesses across the country are worried about rising gasoline prices, they are also worried about escalating electricity costs. Rising energy prices are a drain on our economy, pure and simple. It increases business costs and makes everything we do more expensive.

Hydropower is one of the cleanest and cheapest forms of electricity. In my view, coming from the Pacific Northwest, where nearly 70 percent of our power comes from hydropower, hydropower is the poster child for clean, renewable energy. Unfortunately, as is too often the case, the Federal Government is one of the biggest obstacles to increasing the development of hydropower projects, especially small projects.

This bill would remove government roadblocks and streamline the duplicative regulatory process for developing small canal and pipeline hydropower projects on existing Bureau of Reclamation facilities. This commonsense plan would help generate thousands of megawatts of clean, cheap, abundant and reliable hydroelectricity. Furthermore, it allows for hydropower generation without a single new dam, and at no cost to the Federal Government.

Now, let there be no mistake. I am a proponent of new dams. But this bill rightly harnesses hydropower potential at existing facilities. Water users throughout the West will be empowered to develop hydropower at the Federal canals they operate and maintain.

It's once again important to note that this bill only allows for small hydropower projects on existing canals and pipelines. Such manmade facilities are already on what I would call disturbed ground and have already gone through extensive environmental reviews.

Furthermore, this bill is a revenue generator for the Federal Government. The nonpartisan Congressional Budget Office, or CBO, estimates that it will generate $5 million over the next 10 years through increased hydropower production and rental fees associated with it.

H.R. 2842 affirms Republicans' commitment to a true, all-of-the-above energy plan. It will create jobs in rural areas, lower energy prices, and expand production of clean, renewable American energy by simply getting the Federal Government out of the way.

This bill received bipartisan support in the Natural Resources Committee and is endorsed by the Family Farm Alliance, the National Water Resources Association, the American Public Power Association, and the Association of California Water Agencies.

□ 1440

I want to commend the bill's sponsors, Mr. TIPTON of Colorado and Mr.

GOSAR of Arizona, for their work on this.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chair, I yield myself 5 minutes.

I do rise in support of the general premise—I repeat—the general premise of this legislation, but oppose the legislation as amended. I would like to mention that only 3 out of 15 Democrats support it. So while it is bipartisan, it is minor bipartisanship on this particular issue.

H.R. 2842 does seek to generate additional hydropower at the existing Bureau of Reclamation facilities—that is, Federal properties—through developing new process of conduit and in-canal hydropower, which we should be developing at a greater speed and length.

We cannot support this bill as amended, even though the original bill did also state it and an attempt was tried to be able to take this waiver language out on page 4, lines 12 to 15. We were unsuccessful, and we cannot support it because it does have a NEPA waiver, language that we cannot support.

We are in support of the general intent. H.R. 2842, the Federal conduits, continue to fall under Reclamation Lease of Power Privilege process, LOPP. It requires offering a preference to irrigation districts or water users associations with an existing contract, those that already have a contract, which we support.

It safeguards current project users by recognizing the project's primary authorized purposes and that no financial and/or operational costs will be incurred by the existing water and power users.

The Federal Power Marketing Administrations are also—and I repeat—are not obligated to purchase or market the power produced.

The legislation does go a step too far and includes an unnecessary and unwise blanket exemption from a critical environmental law.

If my colleagues on the other side had simply followed the advice of the National Hydropower Association and the conservation group American Rivers, we would have a noncontroversial bill which would have passed unanimously out of the House. We also received a letter from six environmental groups in opposition that I would like to include in the RECORD.

Proponents for exempting the National Environmental Policy Act, NEPA, will argue that government regulatory red tape is preventing the development of more hydropower. Reclamation already has the authority to comply with NEPA through categorical exemptions, and the system is working. Categorical exclusions have been issued for hydropower sites under the reclamation's LOPP process at three specific sites in Colorado: the Lemon, which was in 1989; the Grand Valley Power Plant in 2011; and Jackson Gulch in 1995.

NEPA compliance for other sites, in fact, has not been the bureaucratic chaos some would make it out to be. There are three projects in the home State of Colorado for my colleague, the sponsor of this bill. In Jordanelle, Utah, compliance took 15 months from start to finish to receive final permit in 2004. At Lake Carter, Colorado, it took 6 months to finish NEPA in 2010. At Ridgway, Colorado, an LOPP was just issued last month after completing a 15-month NEPA process. On the South Canal Drop 3 site in Colorado, a finding of ''no significant impact'' was just issued last month after a 15-month NEPA process.

Developers and irrigators need clarity and certainty so their project can be developed. Waiving NEPA will not provide clarity and certainty. The stopgap for development is not NEPA; it's a lack of a Reclamation process. There must be a clear process in place for the development of hydropower at Reclamation facilities.

I urge Reclamation to finalize the directives and standards as soon as possible, and it's my understanding the draft is already out to developers and irrigators for their view, and the final directives and standards will be completed by the end of this year.

It is unfortunate that this legislation contains this controversial waiver. Without the NEPA exemption, this legislation would have been on suspension, and I do oppose the legislation and ask my colleagues to join me in opposition to this very sad portion of waiver of NEPA.

MARCH 6, 2012.

DEAR REPRESENTATIVE: The undersigned organizations, on behalf of our millions of members and supporters are writing to express our opposition to the provision in Section 2 of H.R. 2842 that waives the National Environmental Policy Act (NEPA) with respect to small conduit hydropower projects at Bureau of Reclamation facilities.

While we support the legislation's intent to encourage the responsible development of renewable energy projects, waiving NEPA reviews for Bureau of Reclamation projects is unnecessary and unacceptable. The National Environmental Policy Act is not a roadblock to the successful approval of conduit hydropower projects at Bureau facilities. We believe that this backward step will not accelerate hydropower development. Rather, our experience has shown us that attempts to shortcut or sidestep environmental review typically result in delayed projects.

Successfully advancing the development of new energy resources, like conduit hydropower, requires us to do better than we have done with other forms of energy and other Bureau of Reclamation projects. While we do not oppose the development of conduit hydropower, it must be done responsibly and under all of the appropriate reviews necessary to make sure that such development is consistent with the public interest; a guarantee that NEPA provides.

Therefore we respectfully request that you oppose H.R. 2842 unless the language requiring a NEPA waiver is struck from the bill.

Sincerely,

AMERICAN RIVERS,
CENTER FOR BIOLOGICAL DIVERSITY,
DEFENDERS OF WILDLIFE,
GRAND CANYON TRUST,
NATURAL RESOURCES DEFENSE COUNCIL,
THE WILDERNESS SOCIETY.

NATIONAL HYDROPOWER ASSOCIATION,
Washington, DC, March 5, 2012.

Hon. SCOTT TIPTON:
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE TIPTON: The National Hydropower Association writes to express our appreciation for your work to support development of the nation's conduit power potential with your bipartisan bill, H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011.

NHA believes there is tremendous untapped, renewable hydropower potential in existing man-made structures such as irrigation canals and other water conveyances, particularly on the federal system. As such, the Association supports policies encouraging these low-impact developments, while also ensuring appropriate project reviews.

NHA supports H.R. 2842, while also recommending a minor amendment to Section 2 of the bill to align the Bureau's treatment of these projects to that which they currently receive, and have received since the 1980s, at the Federal Energy Regulatory Commission. Specifically, NHA believes a provision that would require the Bureau to institute a NEPA categorical exclusion for small conduit projects provides appropriate oversight of these facilities, as longstanding practice and experience at FERC has shown.

As always, NHA stands ready to engage and work with policymakers and all stakeholders on hydropower legislation and policies. And again, we commend you for your work on this issue.

Sincerely,

LINDA CHURCH CIOCCI,
Executive Director.

AMERICAN RIVERS,
March 6, 2012.

DEAR REPRESENTATIVE: On behalf of American Rivers' thousands of members nationwide, I am writing to express our opposition to the provision in Section 2 of H.R. 2842 that waives the National Environmental Policy Act (NEPA) with respect to small conduit hydropower projects at Bureau of Reclamation facilities.

American Rivers supports the responsible development of conduit hydropower projects at Bureau facilities. We believe that there is significant untapped potential at these facilities for new hydropower generation. We believe that the Bureau of Reclamation should improve its process for small conduit hydropower permitting, modeling its process on that used by the Federal Energy Regulatory Commission (FERC). We believe that the Bureau should, like FERC, consider a categorical exclusion for these types of projects in order to facilitate their construction.

Unfortunately, H.R. 2842 creates a blanket waiver of NEPA for small conduit hydropower projects at Bureau facilities. We hope that in the course of House consideration of the bill, the NEPA waiver language can be amended. Pending that, American Rivers reluctantly opposes H.R. 2842 in its current form.

Sincerely,

JIM BRADLEY,
Senior Director of Government Relations,
American Rivers.

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

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 4

minutes to the gentleman from Colorado (Mr. TIPTON), the sponsor of this very important legislation.

Mr. TIPTON. I thank the gentleman from Washington for yielding.

Mr. Chairman, Members of the House on both sides of the aisle talk of the need for an all-of-the-above energy solution for this country, a solution that gives serious consideration to all resources, including renewable and alternative energy.

It's easy to talk about this need, but today I offer a bill that turns that talk into action. My bill, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012, is a key piece of the all-of-the-above strategy energy that our country needs in order to strengthen reliable, domestic energy production; expand development of responsible, renewable energy; generate economic growth; and get Americans working once more.

Hydropower is the cheapest and cleanest source of electricity. This is created through modern technology. It's the highest source of non-carbon emitting energy in the world, accounting for approximately 69.9 percent of the United States' total renewable electricity generation, making it the lead renewable energy resource power, according to the Hydropower Association.

In Colorado, nearly 30.7 percent of our renewable energy is hydropower, but only 3.1 percent of all Colorado is hydropower. We have a significant opportunity in Colorado to expand on this clean, renewable source of power while creating badly needed jobs for the Third District of Colorado in the process. In Colorado alone, there's enough existing capacity to generate as much power as the Glen Canyon Dam. However, as it stands, no major hydroelectric facilities have been built in many years. Existing facilities are being drained by endless litigation and regulatory obstacles that stifle production and lead to an increase in electricity prices and shortages in many regions of the country.

By streamlining the regulatory process and reducing administrative costs for small hydropower development at Reclamation's facilities, this commonsense legislation will encourage the production of clean, renewable hydropower and provide much needed opportunities for the creation of new jobs in Colorado for some of our Nation's hardest hit rural areas.

This commonsense bill garnered bipartisan support in the House Natural Resources Committee and has been endorsed by the Family Farm Alliance, the National Water Resources Association, the Association of California Water Agencies, and the American Public Power Association.

Chris Treese of the Family Farm Alliance and a constituent of mine in the Third Congressional District put it best when talking about the need for the bill:

> The margins on small hydro are very small. Districts need to be able to make timely investment decisions without the prospect of environmental reviews of undetermined length and expense. Additionally, Western water districts share the Nation's desire to make investments that can put people to work immediately. Environmental reviews of small hydro on existing conduits represent an unnecessary and often chilling uncertainty for an economically marginal investment.

This legislation, which applies to all projects on Reclamation conduits without exception, seeks to address this concern and fix an unwieldy environmental review process that requires small developers to jump through unnecessary and duplicative bureaucratic hoops in order to complete a project on existing conduits that has already undergone the proper environmental reviews. By doing this, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2012 will jump-start small hydropower development through which power generated will be sent directly to the grid and also create revenues that will help pay for aging infrastructure in our communities.

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

Mr. HASTINGS of Washington. I yield the gentleman an additional 1 minute.

□ 1450

Mr. TIPTON. From the beginning, this Congress has made responsible energy development a legislative priority with the goal of putting forward a comprehensive solution that expands the development of alternative and renewable energy technologies while continuing the development of traditional energy resources.

We have an opportunity to join together in this body and pass a commonsense solution to advance the common goal of developing clean and renewable alternative energy and to put into place a key component of an all-of-the-above energy plan.

I ask my colleagues to take this into consideration and to remember the words that are inscribed in this very Chamber from Daniel Webster, saying:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.

Hydropower development follows in the legacy of the responsible development of our precious natural resources with the steadfast protection of our environment. So I ask my colleagues for their support of the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011.

Mrs. NAPOLITANO. I couldn't agree with him more. My only objection is the small portion of the NEPA waiver.

Mr. Chairman, I yield such time as he may consume to my colleague, the gentleman from Massachusetts, Ranking Member MARKEY.

Mr. MARKEY. I thank the gentlelady very much.

Mr. Chairman, I rise in opposition to this legislation.

After 427 days in the majority and having no energy or jobs strategy to show for it, House Republicans are now offering H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act.

We need legislation that gets hydro projects moving and that gets hard hats down in the ditches again. Instead, Republicans are offering more legislation that is certain to be ditched by the Senate. We should encourage the development of small hydropower projects at existing facilities. In fact, if the legislation simply gave the Bureau of Reclamation exclusive jurisdiction to develop hydropower at Federal reclamation facilities, I would support it. If it mandated that the Bureau of Reclamation institute categorical exclusions for their small hydro projects, I would support it.

But Republicans, they just couldn't help themselves. It doesn't matter the nature of the problem. For Republicans, the problem is always just nature, so they went and gutted environmental review altogether in this bill. That's what happens when your entire economic platform is deregulation and gutting safety and environmental protections. You start waiving environmental review even when the industry you're trying to help isn't asking for it. If the Republicans had simply followed the advice of the hydro industry, we would have a noncontroversial bill that I could support and recommend to all of the Democratic Members that we pass 435 to nothing out here on the House floor this afternoon. Instead, it's ideology over hydrology. That's what the Republicans bring to the floor today.

If Republicans are serious about advancing the hydro industry, here is what they can do: extend the production tax credit, support clean renewable energy bonds, support domestic clean energy manufacturing tax credits, and extend the section 1603 renewable energy grant program.

Here is what those successful Recovery Act programs have already done:

Three companies have received $67 million in tax credits to build hydro-related manufacturing facilities in the United States. Eight companies have received $2 million in grants to support hydro deployment under the 1603 renewable energy grant program. Clean renewable energy bonds have supported $531 million in public power hydro projects across the country.

But Republicans aren't interested in doing something constructive for hydro or for any other clean energy technology. With their oil-above-all strategy, Republicans want to continue subsidizing the oil and gas industry $4 billion annually—$40 billion over 10 years—but shut down all of the clean energy programs that I just outlined. They're going directly after any and all threats to Big Oil and Big Coal, and they're targeting clean energy jobs for elimination.

Republicans on our committee have reported out a bill that would repeal the borrowing authority that the Western Area Power Administration currently has to help finance transmission serving renewable energy projects. Between one project in Montana that is already under construction and three others that are deep into development, there are 11,500 jobs at stake, but the Republicans don't care about those 11,500 jobs.

Then there is the wind industry. Ten thousand American workers have already been cut in the wind industry because the production tax credit is expiring at the end of the year and orders are drying up; 27,000 more wind workers will lose their jobs if Republicans get their way and raise taxes on the wind industry beginning on December 31 of this year.

A clean energy wave is upon us. America needs a vibrant domestic hydro industry, along with a healthy wind, solar, geothermal, and biomass industry, if we are to capture its benefits. Otherwise this wave will crash down upon us and, instead, carry the Chinese and the Indian and German economies to prosperity.

Let us vote down this bad bill before us and move on to the real policies that will help America's hydro sector.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 5 minutes to the chairman of the subcommittee that dealt with this legislation, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

I would say to the gentleman from Massachusetts that nothing in this measure has anything at all to do with oil production. Quite the contrary, this bill reduces our reliance on fossil fuels by bringing hundreds of thousands of megawatts of new, clean hydroelectricity to the grid.

I don't understand the objection to this bill. This measure by Mr. TIPTON does everything the environmental left says that it likes: At precisely no cost to taxpayers, it produces absolutely clean and renewable electricity in vast quantities, on projects that have already undergone environmental review, simply by installing small generators in existing pipelines and canals where there are no fish or no flora or no fowl of any kind.

This is the alpha and omega of Mr. TIPTON's bill. Authorize these simple projects on existing Bureau of Reclamation facilities. That's it.

There are untold thousands of miles of pipelines and canals and aqueducts attached to these facilities that convey water by simple gravity. There is water in these existing facilities that is utterly devoid of any life whatsoever, and there is no conceivable environmental impact whatsoever. These existing pipelines, if equipped with simple hydroelectric generators, could generate electricity that would take several major multibillion-dollar hydroelectric dams across the West to produce.

In fact, our committee took testimony that, in Colorado alone, the hydroelectric facilities' small generators that would be encouraged by this bill could produce as much power as is currently produced by the entire Glen Canyon Dam. Now, multiply that throughout the United States, and you begin to realize what a huge impact this could have on new, clean, affordable energy for America.

Those hydroelectric generators are not going into these pipelines right now for one simple and utterly absurd reason: government regulations make it economically impossible to do so. Our subcommittee took testimony from farmers in water districts who were trying to install these generators; but instead of doing everything it can to assist them, this administration smothers them with endless regulatory delays, demands for wildly expensive environmental studies and exorbitant permitting fees.

According to testimony before the committee that the gentleman from Colorado cited, the net effect of these environmental regulations can more than double the cost of these projects, simply pricing them out of reach. In one case, a witness told us that a $20,000 small generator project would have required $50,000 in permitting costs, and so it doesn't move forward.

Congressman TIPTON's bill, instead, welcomes these small hydroelectric generators by authorizing their placement in existing Bureau of Reclamation conduits. It invites existing operators and users to invest in these generators at no public cost. It establishes an office within the Bureau of Reclamation with the responsibility to assist projects, and it exempts them from paying for another costly, time-consuming, and pointless NEPA study when there is no conceivable environmental impact involved. These facilities already underwent the environmental process when they were built, when they were upgraded, or when their repayment contracts were renewed. It is simply a waste of time and money to put them through yet another review before these small generators can be installed.

I mean, think about the implications just to farming alone. Some irrigation districts are forced to use diesel generators to pump water to the fields. Put hydroelectric generators in existing canals and pipelines, and they become virtually self-sustaining while reducing their reliance on other sources of electricity that produce air emissions.

□ 1500

In addition, sales of canal-based electricity could generate local revenue for irrigators, which would help upgrade existing facilities and infrastructure, create jobs and relieve exhausted Federal taxpayers of these costs. The construction of these generators would mean new high-paying jobs for Americans.

It is truly mystifying that a nation plagued by prolonged economic stagnation, chronic unemployment, and increasingly scarce and expensive electricity would adopt a willful and deliberate policy obstructing the construction of these inexpensive and innocuous generators in already-existing facilities.

Mr. Chairman, there are fewer Americans working today than on the day that Barack Obama took office more than 3 long years ago. During that period, he has taken well over a trillion dollars from the earnings of hardworking American families to funnel to well-connected companies, claiming to create jobs. In the case of Solyndra, it penciled out to $450,000 per job, jobs that disappeared as soon as the government money ran out.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 1 minute.

Mr. MCCLINTOCK. I thank the gentleman.

Yet here, with this measure, at no cost to these hardworking families, at no cost to the environment, simply by getting absurdly and utterly duplicative government regulations out of the way, we could add tens of thousands of megawatts of clean and cheap electricity to our domestic energy supply, produce permanent jobs, reduce our reliance on fossil fuels, and lower the utility bills of American families.

Our Nation desperately needs clean, affordable, and abundant electricity; and it desperately needs permanent jobs. To get them, it most of all needs common sense restored to its government. The progress the American people have made in doing that, as well as the unfinished business remaining before them, will be very precisely measured by the roll call on this bill.

Mrs. NAPOLITANO. Mr. Chairman, how much time remains on both sides?

The CHAIR. The gentlewoman from California has 20½ minutes remaining, and the gentleman from Washington has 14 minutes remaining.

Mrs. NAPOLITANO. I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 5 minutes to a cosponsor of this legislation and a very valuable member of the Natural Resources Committee, the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise in support of the bill Congressman TIPTON and I have worked closely on, H.R. 2842, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011.

Arizona has been hit hard by the recent recession. The rural counties that I represent are faced with unemployment rates that far exceed the national average. This bill could provide a little of the much-needed relief for these communities.

The Bureau of Reclamation Small Conduit Hydropower Development and

Rural Jobs Act of 2011 is commonsense legislation that will create jobs in rural Arizona, increase our country's renewable energy portfolio, and generate revenues for the Federal Treasury by cutting duplicative, bureaucratic redtape.

Specifically, it would allow Arizonans that operate existing irrigation canals and ditch systems, man-made canals and pipes as you can see from here, to install hydropower generators. To be clear, we are not talking about free-flowing rivers or streams. These are man-made structures that have already gone through environmental review. These canals, as you can see, do not contain endangered fish or wildlife.

I worked very closely with the Irrigation & Electrical Districts Association of Arizona, the special districts, municipalities, Indian utility authorities and project managers that are engaged in the management and delivery of water and power in my State as Congressman TIPTON and I crafted this legislation.

I am proud to be from a State that is as innovative and as resourceful as Arizona. Our State is a leader in developing safe ways to tap into our natural resources, which provides much-needed energy and jobs.

Unfortunately, due to Federal constraints, Arizona is unable to fully tap its hydroelectric power generation potential because of the duplicative regulations that make it too expensive and burdensome to develop. It is simply the failure of the Federal policies to facilitate an environment that is conducive to this type of development. Instead of working with communities that share common goals and values, the Federal Government is dictating to them.

The experts on the ground in Arizona say that we are literally sitting on a hydropower gold mine waiting for the needed clarifications and streamlining that will cut costs and make this program more attractive.

This bill does just that. For example, the Maricopa-Stanfield Irrigation & Drainage District, located in Pinal County, Arizona, estimates that it has the capacity to build 14 to 17 hydropower units if this legislation is signed into law. Those units could generate a total of approximately 2,200 kilowatts of renewable energy, which is enough electricity to power 550 to 1,000 homes. This is just one of the power managers in my State.

Another district, the Central Irrigation and Drainage District centered in Eloy, Arizona, has indicated they could install eight to 10 hydropower units with a capacity of 1,200 to 1,500 kilowatts of renewable energy, another 500 or so homes. These economic impacts are not small for these rural communities. They would provide a real economic boost and will reduce consumer energy costs.

There is not one solution to our Nation's energy crisis, but hydropower is clearly part of an overall all-options-on-the-table solution. Hydropower is the highest source of noncarbon-emitting energy in the world. It accounts for approximately 70 percent of the United States' total renewable electricity generation, and we are not even tapping the potential. Investing in hydropower infrastructure will strengthen our economy and help move us towards energy independence.

To top it off, the nonpartisan Congressional Budget Office estimates that our bill will generate $5 million in Federal revenue over the next 10 years. Increased revenues from the sale of this renewable energy can result in a new source of funding for operating, maintaining, and rehabilitating our aging water-delivery infrastructure at lower costs to farmers.

This legislation is truly a win-win for the American people and is exactly the type of legislation this House should be passing.

Vote ''yes'' on this bill, the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011. It will create jobs in rural America, increase U.S. energy independence, and raise revenue for the U.S. Treasury.

So I guess the opponents of this bill are right: if commonsense solutions are your cup of tea, then I guess I can't help myself. And this is at no—let me repeat myself and this fact—this renewable energy is at no cost to the taxpayer or the public.

Mrs. NAPOLITANO. Mr. Chairman, I couldn't agree with Mr. GOSAR more on some of his presentation that the bureau would be able to expedite some of these projects, and they are working on that categorical exemption determination to be able to understand how they can expedite some of these projects.

NEPA is not some radical piece of legislation. It was overwhelmingly approved by Congress more than four decades ago and signed into law by President Nixon.

It is not an obstacle. It's a tool to be used to facilitate coordination, cooperation, and public input. It is not a barrier. It is a shield protecting our communities, yours and mine, from the unintended consequences that can occur when a big, clumsy Federal Government acts without thinking.

NEPA does not and cannot prevent projects from going forward. They just require the government to analyze alternatives and, most importantly, seek public comment. Evidence that NEPA does not stop projects is plain. Our majority cannot provide a single example where NEPA prevented one of these small projects, the hydroprojects from moving forward. Most applications are granted expeditiously and easily. It also provides the Bureau of Reclamation all the flexibility necessary to apply NEPA quickly and efficiently to the projects. There is no delay.

To oppose NEPA is to oppose public input. Again, it would then oppose public input. To oppose NEPA is to oppose thinking before we act.

This unnecessary and unwise blanket waiver of NEPA should be struck from this bill and then this bill could be passed unanimously and go on to approval in our other body.

I reserve the balance of my time.

□ 1510

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

Mr. Chairman, I just want to point out what this bill does and the simplicity of this bill.

In 1902 when this House, along with the other House, created the Bureau of Reclamation, which was to reclaim the land—that's where ''reclamation'' comes from—it was designed to develop areas that heretofore did not have the resources with which to develop. Mainly, the resource they were lacking was water. And so the Bureau of Reclamation was created so that those arid areas, certainly my area of central Washington qualified as that because Grand Coulee Dam is a facility that irrigates the 500,000-plus acres in central Washington, but it was designed to develop areas that couldn't be developed before.

So now we have these facilities in place all over the West. They've gone through extensive environmental reviews in order to be put into place. Yet even with the technology that makes irrigation better and better and more and more efficient, there still is water in these canals that goes back to the river, in my case the Columbia River. It starts in the Columbia River and ends up in the Columbia River some 120 to 130 miles downstream. And during that process where the water goes to irrigate various parts of the project, we can better, more efficiently use that water by producing power, and that's what this legislation does.

Again, we have gone through the extensive environmental review to build the ditch, the canal. We saw pictures of that earlier. All we're suggesting now is we put something in there to capture the water power to generate electricity. It's no more complicated than that. That's all this bill is about. So with that, while there is an objection to the NEPA process, there is an amendment that will address that, and we will have more extensive debate on that.

But I would just repeat, Mr. Chairman, all of the building of the ditches, which is what really disturbs the land, that went through extensive environmental reviews to get to that point. We are now building within what we disturbed. Boy, to say that you have to have another process, environmental process, doesn't make sense, at least to this Member.

With that, I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, how much time remains?

The CHAIR. The gentlewoman from California has 18½ minutes, and the gentleman from Washington has 6 minutes.

Mrs. NAPOLITANO. Mr. Chairman, I would like to reiterate that we fully

support the intent of the legislation without the exemption of NEPA stated on page 4, lines 12–15. And I must say that I have working relationships with some of my universities; and one of them, Cal Poly Pomona, has been working with hydrokinetics for awhile. We have been kind of tracking the issues of hydrokinetics and some of their results, the projects that they've got in New Jersey and New York, to be able to generate electricity. We have for at least 5 years been trying to make Congress and the committee understand that this is something that is very viable. Even the heat off the pumping motors is being recaptured and converted into electricity in one of my areas.

So I fully understand and I'm glad that it's finally beginning to take hold that there is the ability to create electricity from hydro. We support increased generation at all facilities by developing conduit and in-canal hydropower.

And, again, I support all of the provisions that I stated here, but waiving NEPA does not provide the clarity and the certainty needed to be a clear process for the development of hydro at reclamation facilities. That's Federal facilities only. We must ensure that the lease-of-power privilege, the law, is clear and does provide specific certainty. It should be consistent with the FERC process, as stated in the letter from the National Hydropower Association and American Rivers, as introduced into the RECORD. We will be proposing an amendment to fix the problem, and we want to make this in a truly bipartisan manner and look forward to working with my colleagues on the other side.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I would like to ask my friend from California if she has anymore speakers on the debate portion of this.

Mrs. NAPOLITANO. I do not.

Mr. HASTINGS of Washington. If not, I am prepared to yield back and start the amendment process if the gentlelady yields back.

Mrs. NAPOLITANO. I yield back the balance of my time.

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

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today in order to debate H.R. 2842. "Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act" would authorize the Bureau of Reclamation to permit private entities to develop small hydropower units on all irrigation canals and conduits under the agency's jurisdiction. Under current law, the Bureau or the Federal Energy Regulatory Commission, FERC, has jurisdiction over hydropower development at such facilities.

Currently both the Federal Energy Regulatory Commission and the Bureau of Reclamation have the authority to manage small conduit hydropower projects in all Bureau of Reclamation irrigation canals and conduits. This bill would give this authority only to the Bureau of Reclamation thereby streamlining regulation. There will be jobs created by this measure, however not enough to be considered a Rural Jobs bill. The American people need a jobs bill.

I would have supported this legislation without hesitation if this bill did not contain a poison pill. As written I am concerned about a provision in the bill that would exempt small conduit hydropower projects from having to comply with the National Environmental Policy Act, NEPA. H.R. 2842 removes the requirement that all small hydropower projects must complete an environmental impact statement unless granted an exception from FERC. Although my colleagues who support this legislation will argue that NEPA compliance for small conduit hydropower is unnecessary and hinders developers from pursuing small conduit hydropower projects. There is a valid and proven counter to this argument.

Currently FERC has a successful licensing process for small conduit hydropower showing that compliance with NEPA need not hinder responsible development. FERC categorically exempts small conduit projects from NEPA. This approach works: from 2006–2010, 13 conduit exemptions were completed in less than a year. Of the 11 conduit exemptions that were issued in 2011, orders regarding the nine conduit exemptions that presented no substantive issues were issued on average 40 days after the comment deadline established in the public notice. We can protect our environment while meeting the needs of rural communities in need of an additional green energy resource.

I will continue to seek ways to improve the nation's hydropower system by encouraging increased generation while improving environmental performance.

Let me be clear, I support hydropower in both large scale and small projects that are developed and operated in a responsible manner that avoids harm to America's precious river resources. Given the very real environmental and social impacts of global climate change—especially on vital freshwater systems—I believe that we should develop new sources of energy that can supplement America's reliance on foreign oil.

However, I also know that the energy that we receive from hydropower if done improperly comes at an enormous cost to the health of our nation's rivers and communities.

The harm caused by any hydropower project can be avoided if hydropower is sited, constructed, and operated in a responsible manner. A few simple changes can make an enormous difference, which is why compliance with NEPA is important.

In the case of larger scale hydropower projects, hydropower operators could change the timing of power generation to mimic a river's natural hydrologic conditions, stabilize lake levels and dam releases to protect riverside land from erosion, provide fish ladders and other measures that protect fish and allow them to pass safely upstream and downstream of dams, restore habitat for fish and wildlife, alter the design and operation of plants to maintain appropriate temperature and oxygen levels in rivers, and provide public access and release water back into rivers so that people can fish, boat, and swim. These types of changes have a miniscule impact on the overall generation of the Nation's hydropower fleet. In fact, an analysis by FERC found that since Congress passed laws in the 1986s to encourage these types of improvements, overall generating capacity has actually increased by 4.1 percent. The benefits to human and natural communities have been immense.

The Bureau of Reclamation was established to construct water works to provide water for irrigation and power for utilities in arid western states. The agency manages a number of facilities as part of larger, multi-purpose reclamation projects serving irrigation, flood control, power supply, and recreation purposes. Overall, these facilities serve approximately 31 million people, delivering a total of approximately 28.5 million acre-feet of water (an acre-foot is enough to cover one acre of land one foot deep, or 325,851 gallons) and making the agency the second largest domestic hydropower producer. H.R. 2842 seeks to utilize these existing irrigation channels/waterways by inserting small conduits to create hydro power.

Hydropower is a clean, renewable, non-emitting source of energy that provides low-cost electricity and helps reduce carbon emissions. It is more efficient than any other form of electricity generation and offsets more carbon emissions than all other renewable energy sources combined.

It accounts for 67 percent of the Nation's total renewable electricity generation. In addition to providing low-cost electricity, multipurpose dams provide water for irrigation, wildlife, recreation and barge transportation and offer flood control benefits.

As part of the New Deal, the Roosevelt Administration sought to bridge the urban-rural divide in access to electricity. In the early 1930s, according to one estimate, 90 percent of Americans in urban areas had access to electric power, while only 10 percent of rural America had access.

The establishment of the Rural Electrification Administration, REA, in 1935 sparked a series of Federal investments that brought power to rural American homes over the coming years. By 1939, the REA had helped to establish more than 400 rural electric cooperatives, which served nearly 300,000 households.

Today, the RUS continues to provide credit and other assistance to help improve electric, water, and telecommunications services in rural areas. For example, between 2002 and 2009, the RUS invested $36 billion in electric systems and $14 billion in water and waste management systems throughout rural America. Small hydropower projects help to address the electricity needs of rural areas in a green way.

The Department of the Interior's Bureau of Reclamation also provides hydropower, and drinking water and irrigation services to rural America. Today, the Bureau is the Nation's largest wholesaler of water, serving 31 million people, and provides irrigation to one out of five western farmers. This is a very clever manner to use existing water ways and existing technology to create electricity.

Three manufacturers in the Nation build these small conduits. Apparently they are so prevalent that they are available at Home Depot. Again hydropower represents approximately two-thirds of the renewable electricity generation in the United States and is currently providing almost seven percent of the

country's total energy generation. About forty-five percent of all hydropower in the United States is generated at federally-owned facilities. With only three percent of the Nation's approximately eighty thousand federal and non-federal dams currently generating hydropower there is great potential to increase hydropower production. Additional hydropower can be sited, constructed, and operated in a responsible manner to reduce or avoid environmental damages.

FAST FACTS

Each kilowatt-hour of hydroelectricity is produced at an efficiency of more than twice that of any other energy source. Where hydropower does have environmental impacts, particularly on fish species and their habitats and extensive work is done within the Bureau to evaluate and mitigate these impacts.

Further, hydropower is very flexible and reliable when compared to other forms of generation. Reclamation has nearly 500 dams and dikes and 10,000 miles of canals and owns 58 hydropower plants, 53 of which are operated and maintained by Reclamation. On an annual basis, these plants produce an average of 40 million megawatt, MW, hours of electricity, enough to meet the entire electricity needs of over 9 million people on average.

Reclamation is the second largest producer of hydroelectric power in the United States, and today we are actively engaged in looking for opportunities to encourage development of additional hydropower capacity at our facilities.

Conventional hydropower is one of the oldest and most well-established among a growing number of technologies that provide low-emissions alternatives to fossil-fuel energy. Nationally, hydropower provides about 75,000 megawatts of capacity, and represents nearly 7 percent of total generation.

It is anticipated that hydropower will continue to be a part of our Nation's energy mix for years to come, and accordingly we have signed dozens of agreements supporting the continued, long-term operation of hydroelectric dams that together provide our Nation with thousands of megawatts of generating capacity. Reasonable modifications have dramatically improved the performance of these dams, providing fish passage, improving flows, enhancing water quality, protecting riparian lands, and restoring recreational opportunities.

Hydropower represents approximately two-thirds of the renewable electricity generation in the United States and is currently providing almost seven percent of the country's total energy generation. About forty-five percent of all hydropower in the United States is generated at federally-owned facilities.

With only three percent of the nation's approximately eighty thousand federal and non-federal dams currently generating hydropower there is great potential to increase hydropower production.

JOBS/ECONOMY/H.R. 3710—DEFICIT REDUCTION AND ENERGY SECURITY ACT

I am committed to producing tangible results in suffering communities through legislation that creates jobs, fosters minority business opportunities, and builds a foundation for the future. Every American deserves the right to be gainfully employed or own a successful business and I know we are all committed to that right and will not rest until all Americans have access to economic opportunity.

It has been over 10 months since the Republicans took control of the House, and Republican Leadership has not considered a single jobs creation bill on the House floor.

With the national unemployment rate at 9.2 percent, and almost 1.9 million men and women who have exhausted the maximum of up to 99 weeks of state and Federal unemployment benefits, we cannot afford to continue with inaction.

Rather than wait for the economic tide to turn, Congress must take advantage of its exceptional opportunity to create jobs by embracing the development of natural and renewable resources in a responsible and environmentally conscious partnership with the energy industry.

I have recently introduced H.R. 3710 ''The Deficit Reduction and Energy Security Act of 2012.'' My bill would protect America's energy security, reduce the deficit, and create jobs.

The energy industry has a long and storied history of facilitating robust job creation and economic growth. This legislation will help pay down the deficit and create jobs for workers with varying skill-levels nationwide. H.R. 3710 would also establish the Coastal and Ocean Sustainability Health Fund to provide grants for addressing coastal and ocean disasters, restoration, protection, and maintenance of coastal areas and oceans, as well as, research and programs in coordination with state and local agencies.

Additionally, the Deficit Reduction and Energy Security Act establishes the Office of Energy Employment and Training, and the Office of Minority and Women Inclusion to help foster job creation for groups who have traditionally been underrepresented in the energy industry. H.R. 3710 will spur our Nation's economic growth.

Working in a bipartisan spirit, Congress can aggressively take on the problem of job creation, by supporting measures like H.R. 3710.

The energy sector provides us with an exceptional starting place. In fact, we need to only look to Houston and the state of Texas for a strong example of how embracing the development of our own natural and renewable resources can play a major role in spurring our economy.

Texas serves as proof that the energy industry offers tremendous potential to provide jobs and foster economic growth. As a matter of fact, in 2008, Texas was one of the few states that saw its economy grow, grossing the second highest revenue of all states at $1.2 trillion.

As the Representative of the 18th Congressional District of Houston, Texas, I can attest to the importance of a healthy energy industry. My district is the energy hub of Texas and is recognized worldwide for its energy industry, particularly for oil and natural gas, as well as biomedical research and aeronautics. Renewable energy sources—wind and solar—are also growing economic bases in Houston.

The energy industry and its supporting businesses provide my fellow Texans with tens of thousands of jobs, and have helped keep the state of Texas significantly below the national unemployment rate.

This prosperity can expand well beyond Texas, if the federal and state governments will act decisively and responsibly to expand domestic energy productions in an environmentally conscious manner, and keep billions of dollars and countless jobs here at home.

In fact, a study recently conducted by Wood Mackenzie indicates that the oil and natural gas industry has the potential to create 1 million new jobs over the next 7 years through responsible development of America's oil and natural gas resources, while generating an estimated $800 billion in revenue.

Additionally, Wood Mackenzie concluded that responsible domestic oil and natural gas development, along with increasing imports from Canada, and cultivating a domestic biofuels energy program, the United States could achieve energy independence within 15 years.

Expansion of our domestic energy industry presents us with the opportunity to divert the staggering amounts of money we spend on importing massive amounts of foreign oil. Instead, we can use these funds to make a considerable investment into our own American oil industry, which already pumps about $1 trillion into our economy and helps create jobs for many Americans across many other industries. Furthermore, we must also bolster our investments in natural gas, wind, solar, and other forms of renewable alternative energy.

We must of course, act responsibly, and apply the safety lessons learned in the wake of the BP oil spill. Throughout my tenure in Congress, I have worked tirelessly to foster better relationship between the energy industry and regulating agencies. With an open dialogue and productive communication, we can forge compromise that will protect the environment without harming economic growth.

The benefits of a seamless domestic energy policy go beyond just creating jobs in the energy sector. A seamless domestic energy policy also promotes the ongoing need to develop the best technology to reduce risks and improve efficiency.

Demand for this technology creates an increased demand for Americans educated in Science, Technology, Engineering and Math, STEM. The energy sector can partner with educational institutions to meet that demand, foster American innovation and increase American competitiveness in an increasingly globalized economy.

The energy industry is putting my constituents back to work, and the Wood Mackenzie study indicates that increasing domestic development will create new jobs and generate government revenue.

It is time for my colleagues to join me in a truly bipartisan effort to create jobs, improve our education system, and strengthen the economy. It is time to return to an age of American ingenuity and prosperity. It is time for a seamless domestic energy policy. It's time to support job creation it is time to support legislation like the bill I recently introduced H.R. 3710 ''The Deficit Reduction and Energy Security Act of 2012.''

The CHAIR. All time for general debate has expired.

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

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. Each section of the committee amendment in the nature of a substitute shall be considered as read.

No amendment to the committee amendment in the nature of a substitute shall be in order except: (1) those received for printing in the portion of the CONGRESSIONAL RECORD designated for that purpose dated at least

1 day before the date of consideration of the amendment; and (2) pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 2842

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 ''Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act of 2011''.

The CHAIR. Are there any amendments to section 1?

AMENDMENT NO. 2 OFFERED BY MR. TIPTON

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, strike ''2011'' and insert ''2012''.

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

Mr. TIPTON. Mr. Chairman, this is a technical amendment that changes the year of the bill from 2011 to 2012, and I ask my colleagues to support this noncontroversial amendment.

I yield back the balance of my time.

The CHAIR. Does any Member seek recognition?

The question is on the amendment offered by the gentleman from Colorado (Mr. TIPTON).

The amendment was agreed to.

The CHAIR. The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. AUTHORIZATION.

Section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) is amended—

(1) by striking ''The Secretary is authorized to enter into contracts to furnish water'' and inserting ''(1) The Secretary is authorized to enter into contracts to furnish water'';

(2) by striking ''(1) shall'' and inserting ''(A) shall'';

(3) by striking ''(2) shall'' and inserting ''(B) shall'';

(4) by striking ''respecting the terms of sales of electric power and leases of power privileges shall be in addition and alternative to any authority in existing laws relating to particular projects'' and inserting ''respecting the sales of electric power and leases of power privileges shall be an authorization in addition to and alternative to any authority in existing laws related to particular projects, including small conduit hydropower development''; and

(5) by adding at the end the following:

''(2) When carrying out this subsection, the Secretary shall first offer the lease of power privilege to an irrigation district or water users association operating the applicable transferred work, or to the irrigation district or water users association receiving water from the applicable reserved work. The Secretary shall determine a reasonable time frame for the irrigation district or water users association to accept or reject a lease of power privilege offer.

''(3) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to small conduit hydropower development, excluding siting of associated transmission on Federal lands, under this subsection.

''(4) The Power Resources Office of the Bureau of Reclamation shall be the lead office of small conduit hydropower policy and procedure-setting activities conducted under this subsection.

''(5) Nothing in this subsection shall obligate the Western Area Power Administration, the Bonneville Power Administration, or the Southwestern Power Administration to purchase or market any of the power produced by the facilities covered under this subsection and none of the costs associated with production or delivery of such power shall be assigned to project purposes for inclusion in project rates.

''(6) Nothing in this subsection shall alter or impede the delivery and management of water by Bureau of Reclamation facilities, as water used for conduit hydropower generation shall be deemed incidental to use of water for the original project purposes. Lease of power privilege shall be made only when, in the judgment of the Secretary, the exercise of the lease will not be incompatible with the purposes of the project or division involved, nor shall it create any unmitigated financial or physical impacts to the project or division involved. The Secretary shall notify and consult with the irrigation district or legally organized water users association operating the transferred work in advance of offering the lease of power privilege and shall prescribe such terms and conditions that will adequately protect the planning, design, construction, operation, maintenance, and other interests of the United States and the project or division involved.

''(7) Nothing in this subsection shall alter or affect any existing agreements for the development of conduit hydropower projects or disposition of revenues.

''(8) In this subsection:

''(A) CONDUIT.—The term 'conduit' means any Bureau of Reclamation tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

''(B) IRRIGATION DISTRICT.—The term 'irrigation district' means any irrigation, water conservation or conservancy district, multicounty water conservation or conservancy district, or any separate public entity composed of two or more such districts and jointly exercising powers of its member districts.

''(C) RESERVED WORK.—The term 'reserved work' means any conduit that is included in project works the care, operation, and maintenance of which has been reserved by the Secretary, through the Commissioner of the Bureau of Reclamation.

''(D) TRANSFERRED WORK.—The term 'transferred work' means any conduit that is included in project works the care, operation, and maintenance of which has been transferred to a legally organized water users association or irrigation district.

''(E) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(F) SMALL CONDUIT HYDROPOWER.—The term 'small conduit hydropower' means a facility capable of producing 1.5 megawatts or less of electric capacity.''.

The CHAIR. Are there any amendments to section 2?

AMENDMENT NO. 1 OFFERED BY MRS. NAPOLITANO

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike lines 12 through 15.

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

Mrs. NAPOLITANO. Mr. Chairman, this is a simple amendment striking out language in section 2, page 4, lines 12–15. It removes the exemption of the NEPA waiver for small conduits on Federal land.

The proponents of this measure again will argue that FERC regulations allow for categorical exemption for certain conduit hydropower projects that meet statutory and regulatory criteria and do not have the potential for significant environmental impacts. This is true.

First, treatment of conduits is not the same. It is not the same as what the legislation attempts where all environmental regards are completely waived. This bill, H.R. 2842, as amended, proposes to totally exempt all small hydro from the FERC exemption process. Reclamation already has the same authority as FERC to develop a process of complying with NEPA. Reclamation has already been in the process of investigating whether small hydropower developed in conduits or canals may be appropriately placed under categorical exemption.

As I stated before, the draft is already out. They are consulting with developers and irrigators to ensure that this bill is what they need. They have also granted specific categorical exemptions to three LOP projects, as mentioned in my opening statement. Low impact hydropower can be efficiently developed by utilizing existing environmental review provisions.

We have seen examples of projects that have not unduly delayed project development, and I again point to the three projects as stated before utilizing the yellow pea process. I have placed the letters from the National Hydropower Association and American Rivers and others to highlight the views of the hydropower industry and the leading conservation group on hydropower. Both are supportive of H.R. 2842 as long as it is modeled after the process used by FERC.

□ 1520

It would provide for proper oversight, a longstanding practice FERC has shown.

I urge my colleagues to vote positively ''yes'' on this amendment, and I yield back the balance of my time.

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

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

Mr. TIPTON. Mr. Chairman, I think our opponents on this piece of legislation are confused as to actually what the debate is truly about. If it is about jobs, if it is about the American people, if it is about providing energy certainty, and if it is about reducing the carbon footprint in this country, then 2842 is a good piece of legislation.

They say conceptually they embrace it, but they want to put on the backs of hardworking Americans more cost and more uncertainty at a time when we need to create certainty and when we

need to be able to have that opportunity to be able to reduce costs.

Our opponent commented that we see no evidence that projects are being delayed. Well, the fact of the matter is, when we had testimony, Chris Trees of the Colorado Water District noted that it took well over a year for a project to be approved. Many projects were not being considered simply because of the regulatory costs.

When we look at this chart on a projected cost to build a small hydropower installation, the actual cost to build the unit is $20,000. By the time that we concur with our Democrat colleagues' insistence that we expand bureaucracy and have more government, we are going to add an additional $50,000 in cost.

What's the challenge for rural America? It is dollars. We have struggling communities of people that need jobs. People need to be able to be put back to work. It may, in big cities, not be big money when you start to talk about $50,000, but for our small water districts, it truly is.

This is a chance to stand up for the American people. This is a chance to be able to create clean energy for this Nation.

When we looked at examples in terms of what does overregulation by the government do, when we went through the NEPA process, no one argued as we had photos that my colleague, Mr. GOSAR, had shown of constructed ditches made by men, were put into place to have the NEPA process, but then to duplicate that process, we could look at Bureau of Reclamation's process in which it took 5 years for it to find out that it even had jurisdiction over the Klamath project C-Drop Canal in order to pave the way for conduit hydropower—5 years.

Join with us in caring about the environment, to make sure that we're going to be delivering clean hydropower—not delaying it for 5 years, not delaying it for a year, not putting more costs on the backs of the American people when they simply can't afford it—and putting people back to work. That's the choice we have on this legislation.

As Chairman HASTINGS has noted, it's a commonsense piece of legislation. It makes sense, and it makes good common sense to vote for it.

Mr. HASTINGS of Washington. Would the gentleman yield?

Mr. TIPTON. I'll certainly yield to my colleague.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

Please put that poster back up again. That, I think, real-life example demonstrates why America is so fed up with what happens in Washington, DC. Here is a project that is affordable at $20,000, and so somebody wants to take that opportunity to perhaps make some money—there's nothing wrong with that in our country—and you find out that the cost of regulation is 2½ times what the project is. Now, what certainty does that send to the marketplace that we want to do business? That is absolutely incredible.

And its environmental permitting costs here, in this particular example, which, of course, are exemplified by what? NEPA. And this amendment would take the waiver of NEPA out of the equation. In other words, under the bill that you have authored—correct me if I am wrong—that red dot, that red slice there would be dramatically, dramatically reduced; is that correct?

Mr. TIPTON. That is correct.

I yield back the balance of my time.

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

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

Mr. MCCLINTOCK. Mr. Chairman, this amendment, as the gentlelady has pointed out, strikes the NEPA exemption for small hydroelectric projects. Perhaps she hasn't been listening to the debate for the last hour. The NEPA exemption is the entire point of the bill.

As our subcommittee heard earlier this year, it's precisely this duplicative, costly, time-consuming, and entirely unnecessary process that has more than doubled the cost to small hydro projects which simply makes them cost-prohibitive. They don't apply for permits because they know they don't pencil out once all of the studies are factored into their costs. The Bureau of Reclamation doesn't deny permits; it simply demands such costly environmental studies as to make these projects cost-prohibitive. The bill authorizes these projects so they don't have to go through the costly, time-consuming, and pointless environmental studies.

The gentlelady, several times, mentioned the fact that the Bureau of Reclamation was moving ahead with three permits in Colorado. So what's the problem? Well, let's look at those three permits. One of these wasn't conduit hydropower, one was specifically approved by Congress in the 1980s, and the third took a full year to get the permitting done on an existing canal outlet. Now, if that's what the gentlelady describes as success, I think she has just proven our point.

Let me ask her this: What is the point of requiring expensive and time-consuming environmental reviews when all you're doing is putting a small generator in an existing Bureau of Reclamation pipe that has already undergone extensive environmental reviews?

FERC already provides for the categorical exemption on non-Federal projects. The Bureau's own NEPA manual, updated a decade ago, clearly allows categorical exemptions for—and this is from their manual—''minor construction activities associated with authorized projects which merely augment or supplement or are enclosed within existing facilities.'' These small hydro generators precisely meet this requirement. The problem is the agency ignores its own guidelines. That is precisely why this bill is necessary.

Mr. Chairman, either placing generators in pipelines is environmentally damaging or it's not, and anybody with a lick of sense already knows the answer to that question, and I would expect them to be supporting the bill of the gentleman from Colorado.

I yield back the balance of my time.

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

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

Mr. GOSAR. Mr. Chairman, I rise against the amendment from the gentlelady from California.

In fact, I want to highlight two of the Arizona witnesses who have some of the most applicable understanding of this hydropower bill.

The first person I would like to quote is Mr. Bob Lynch, in which he testified:

> We need Congress to streamline the processes both for reclamation facilities and for non-Federal facilities. This companion enterprise will open up the West to a whole new product line of small hydropower facilities that can tap the energy in flowing water that is currently being wasted. If the red tape can be cut down, the cost of installing these units can be amortized. These are existing facilities and will have no impact other than to provide additional clean, renewable hydropower in small quantities all over the Western United States.

The second person I would like to highlight is Mr. Grant Ward, who represents one of these districts in which he testified how the permitting costs of $50,000 for every small conduit hydropower unit in his area are more expensive than the actual installation of $20,000.

So here we hear from Mr. Bob Lynch representing the Irrigation and Electrical Districts Association in Arizona, someone who has countless decades of experience and expertise in these issues, as well as Mr. Grant Ward, who experienced this on the ground level, dictating exactly their testimony.

So I rise in opposition to this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. NAPOLITANO).

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

Mrs. NAPOLITANO. 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 California will be postponed.

□ 1530

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

Mr. ELLISON. 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. 3. NO NET LOSS OF JOBS.

Section 2 and the amendments made by section 2 shall not take effect unless the Secretary finds that such section and amendments, if in effect, shall not result in a net loss of jobs.

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

Mr. ELLISON. Mr. Chairman, our transportation program expires at the end of March, and we are still facing high unemployment. Why aren't we working on a real jobs bill that will create good infrastructure jobs?

The GOP has wasted about 427 days since they've been in charge by not producing a real jobs agenda, but it's around transportation and infrastructure where we have real opportunity. Unfortunately, certain people have used creative titles—deceiving titles in some cases—to try to distract the public. Their transportation bill is called the American Energy and Infrastructure Jobs Act, but it wouldn't promote jobs in energy or infrastructure. It would actually cut highway investment by $16 billion in 5 years. This would mean a loss of half a million jobs nationwide. That's right, the American Energy and Infrastructure Jobs Act would cut 500,000 jobs. The bill would cost about 11,000 jobs in my home State of Minnesota.

Today, we're debating the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act. Why are we talking about small conduit hydropower when we need investment in highways, bridges, transit and airports? Now, don't get me wrong, I'm not here to run down small conduit hydropower. I just think it's too small.

Also on the floor this week is the so-called Jumpstart Our Business Startups Act, JOBS. This is a rehash of access-to-capital bills that may be useful—in fact, I may support them—but will barely make a dent in our unemployment numbers. The GOP may have creative titles, may have some titles that catch attention and sound good; but if you scratch the surface just a little bit, there's no jobs agenda even on bills that say ''jobs.''

The American Society of Civil Engineers is a group that knows a little bit about infrastructure. This is a group, a collection of professionals, who know the issue; and they give our infrastructure grade a D—and D don't stand for ''dandy.'' It stands for ''downright bad and unfortunate.''

We have nearly 70,000 bridges across this country—or 11.5 percent of all highway bridges—classified as ''structurally deficient,'' meaning they require significant maintenance or replacement. There are about 1,400 structurally deficient bridges in my State of Minnesota, several within walking distance of my home. In 2007, my district tragically felt the impact of deficient bridges with the collapse of I–35W. We lost 13 lives, and 100 people ended up with serious injury in the hospital.

We need a real transportation bill and a real jobs agenda to rebuild our infrastructure and to put Americans back to work.

Mr. Chairman, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the gentleman from Minnesota for leading this position.

I rise today to speak about the current extension of the transportation bill, which is set to expire at the end of this month. I'm frustrated by the lack of action in this Chamber and the lack of attention being paid by the majority to the American people who desperately need these jobs.

The current transportation authorization expires at the end of March, but we are still facing high unemployment and a weak economy. We need the kind of long-term transportation policy that will repair our crumbling infrastructure and bring back good-paying construction jobs.

I have been on the House Transportation and Infrastructure Committee for 20 years this year; and up until now, the committee has worked in a bipartisan fashion and we have produced sound, commonsense legislation. But the progress that could have been made has been stymied by partisan bickering and bad policy.

The current transportation bill offered by the majority would cut investment in our Nation's highways by almost $16 billion over the next 5 years. This would mean a loss of over 500,000 jobs nationwide.

Mr. Chairman, we talk about this being a jobs bill. What is before us is a job-killing bill. But the American people are waiting.

The CHAIR. The time of the gentlewoman has expired.

Mr. McCLINTOCK. Mr. Chairman, I rise to claim time in opposition to the amendment.

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

Mr. McCLINTOCK. Mr. Chairman, this amendment would give to the Secretary of the Interior the ability literally to unilaterally veto this measure if he finds it would result in a loss of jobs.

Now, let's be clear of what we're talking about here. This is the same Secretary of the Interior who came to the Natural Resources Committee in 2009 when Federal water diversions in California's Central Valley were throwing thousands and thousands of farm workers into unemployment. Before the committee, he admitted that he had the authority to stop the diversions and stop throwing these thousands of hardworking families into poverty, but he chose not to do so because he said it would be like admitting failure.

This is the same administration that blissfully threw thousands of gulf war workers into unemployment by declaring a de facto moratorium on oil production in the gulf. This is the same administration that's blocking energy development in the Arctic tundra. This is the same administration that's torpedoed the Keystone pipeline and the thousands of jobs it would have created. And now the gentleman from Minnesota would give this same official and this same administration the power to shut down small hydroelectric facilities that could add thousands of megawatts of additional electricity to our energy supplies.

I would assure the gentleman that the reason for this bill is because we fully expect it to produce a quantum leap in demand for small generators; and somebody's going to have to build them, and somebody's going to have to install them. That means more jobs.

Now, if the gentleman is worried about jobs being lost in the regulatory bureaucracy because they won't have as many businesses to harass, I can assure him they have demonstrated over the years a tremendous creativity in finding new businesses to harass and new reasons to increase their budgets.

But I say again, I don't believe it would be a good idea to put in the hands of this Secretary and this administration yet another tool to obstruct energy and job development. Now, high electricity prices might not be a problem in Minnesota, but I can assure the gentleman they are a serious problem in California; and that's why his amendment is so dangerous.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, the bill that I'm speaking of is called the Transportation and Infrastructure Committee bill.

The Secretary of Transportation, who has served on this committee, has clearly explained what this bill in its present form will do for this country. Now, I know that probably no one wants to quote this particular Secretary, who has had inside experience as well as outside experience. He is very aware because he served on this committee during the time we worked in a bipartisan fashion.

We're talking about highways. And because someone put a lot more extracurricular, extraneous kind of stuff in this bill that does not relate to these highways, then they're against it. But the progress that could have been made was really stymied by this very kind of propaganda and bad policy.

The current transportation bill offered by the majority would cut investment in our Nation's highways and kill jobs. We want to create jobs and do something about the crumbling infrastructure in this country.

Mr. Chairman, the American people are waiting for us to do something. We were sent here by our constituents to solve problems, not to create them and not to find excuses to face the real reality. So let's get back to work and

produce a transportation bill that will repair our Nation's infrastructure and get thousands of Americans back to work—not to try to challenge this administration because you don't like the administration. We want to see something that's real and something that addresses the real problem, and not skirt around with a lot of ideas and a lot of propaganda that simply does not relate to this bill.

I yield back the balance of my time.

□ 1540

Mr. HASTINGS of Washington. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Chairman, I find this debate rather interesting because the gentlelady from Texas who spoke, of course, did not speak on this bill. She spoke on another piece of pending legislation that dealt with jobs. That's good.

That pending piece of legislation, I might add, had two components to it. It had the energy component, and it had the transportation component which, of course, is pending. We know that expires at the end of this month.

But we did pass the energy component of that bill which creates tens of thousands of jobs. And I just want to point out, Mr. Chairman, the gentlelady voted against that piece of legislation. Sometimes we hear mixed messages here, but I just wanted to set the record straight.

This bill is another extension of energy production and, of course, creating American energy jobs. And with that, I find the gentleman from Minnesota's amendment really very interesting, because what he is saying by his amendment is, unless the bureaucracy decides, by giving all this authority to the Secretary—and by the way, I'm not sure which Secretary it is because it's not delineated in the amendment. But leaving that aside, he is saying there will be no jobs unless—what? The bureaucracy decides there will be jobs. Now, how ludicrous is that?

But that is precisely where we seem to be today. And I think this is, as I mentioned earlier, this is one of the reasons why I think Americans are so fed up with what's happening here in D.C. with this sort of back and forth.

Let me repeat, this is infrastructure that is in place. There is water running through this infrastructure. All we're trying to do is capture that energy, at no cost to the Federal Government, and create jobs and lower the cost of energy. There's nothing more simplistic than that, Mr. Chairman.

So I urge my colleagues to vote ''no'' on this amendment, and I urge my colleagues to vote ''yes'' on the underlying bill.

I yield back the balance of my time.

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

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

Mr. TIPTON. Mr. Chairman, it's interesting, our colleagues do talk about jobs. We want to be able to create jobs, to be able to facilitate that opportunity for Americans to be able to go back to work, to be able to create clean energy right here in the United States. As my colleague was pointing out, a commonsense piece of legislation.

We're going through existing conduits, what we call in our part of the world ditches, to be able to capture that energy, to be able to deliver it to allow local decisions to be able to be made.

But our colleagues seem to want to make sure that we're standing up, or they are standing up, for the status quo, and that just means say no—say no to clean energy. No, join with us and support clean energy and hydroelectric power.

You're saying no to jobs. Join with us to be able to create jobs right here in this country and be able to put our people back to work.

We have enough red tape. This amendment will simply grow more government. And as we saw from testimony in our committee and charts that have been shown during this debate, there's no need to put more expense on the backs of the American people, who simply cannot afford your stand to build more government.

This is an amendment that deserves to be rejected. I ask for that, and ask for a favorable vote on H.R. 2842.

I yield back the balance of my time.

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

The amendment was rejected.

Mr. HASTINGS of Washington. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCCLINTOCK) having assumed the chair, Mr. CHAFFETZ, 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. 2842) to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal reclamation law, and for other purposes, had come to no resolution thereon.

DEVASTATION ACROSS SOUTHERN INDIANA

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

Mr. PENCE. We are told to mourn with those who mourn and grieve with those who grieve.

Mr. Speaker, I rise to do so today. Across southern Indiana, in small towns like Henryville, Marysville, Pekin, and others, Hoosier families and communities are picking up the pieces after one of the most devastating tornados in my lifetime swept through our State.

I come to the House floor today to pay tribute to the lost, and to those who lost their homes and their businesses, and pay tribute to the first responders and to the countless thousands of Hoosiers who have come alongside their neighbors in this grievous hour.

As millions of Americans have witnessed on television, these violent storms left utter destruction in their wake across a three-State area. Schools, businesses, and homes were reduced to piles of rubble. Cars were flipped and thrown about as if they were toys. Some communities, as one local official said it, were ''completely gone.''

In the Hoosier State we lost 13 lives, including an entire family from Pekin, Indiana. Yet in this dark hour, for so many families, as is always the case in the Hoosier State, we hear stories of communities coming together to rebuild. Despite the snow and cold that followed the storms, we see generosity, community spirit in full display.

Over the coming days, weeks and months the wounds will heal, debris will be cleared, homes and businesses and barns will be rebuilt. And as the Federal Government makes its assessment today about Federal support, we look forward to supporting all Federal assistance.

But I rise today to commend Governor Daniels, the Indiana National Guard, the Indiana State Police, all of our first responders and Homeland Security and community leaders for their decisive leadership in this moment.

But I also rise today to commend all of those who stepped forward to provide a helping hand, either with time or talent or treasure, volunteers donating food and clothing and labor. It is profoundly inspiring and humbling, and makes me proud to be a Hoosier.

May God comfort the families of the lost, and give strength and courage to those who will rebuild in the wake of these storms.

HONORING THE LIFE OF CONGRESSMAN DONALD PAYNE

The SPEAKER pro tempore (Mr. FINCHER). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Mr. Speaker, today, as you heard, the House, the Congress as a whole, the 10th District of New Jersey, our Nation, the countries of Africa and the Caribbean, of Ireland, where he was an honorary citizen and, indeed, the world, has suffered a great loss. DONALD PAYNE was a friend and advocate for the world and all of its people, but particularly for the sons of Africa here and worldwide.

Tonight I am honored to chair this Special Order in his honor, and to recognize my colleagues from both sides of the aisle who will be coming to pay tribute to DONALD PAYNE.

I'd like to begin by asking unanimous consent that all Members might

have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of the Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

□ 1550

Mrs. CHRISTENSEN. I'd like to begin by yielding 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, DONALD PAYNE played a very special role in my service as a Member of Congress. I didn't know him nearly as long as many other Members, and I guess I probably didn't know him as well; but there is no doubt that as a Member coming into Congress trying to figure out how to be the best Member I could be, DONALD PAYNE was one of the people who I admired and looked to, and no more so than when he was fighting for the human rights of all people.

DONALD PAYNE gave me a new and unique perspective on suffering in Darfur, explaining the complexities as it related to making sure that Darfurians not only got relief, but also eventually one day would get justice.

But he didn't stop there. I have a large percentage of my constituents who hail from Somalia, and DONALD PAYNE gave me historic perspective on Somalia on a regular basis, which I didn't have, and also, again, helped me understand how difficult it was and how important it also was that we stand for stability for the people of Somalia. In fact, his level of commitment to the people of Somalia was so great, he got into an airplane and flew there and, on his way out, was actually shot at when al-Shabab tried to take his life for showing concern for the people.

Yet he traveled many places and really went all around the world; but he also went into my district, as he went to many districts, and I'll never forget the day when we organized a community forum on east Africa. We had Somalis in the room, people from the Ogaden region of Ethiopia, people from Eritrea, all over, immigrants who made America their home either by choice or because they were refugees. For 3 straight hours, DONALD PAYNE answered their questions, gave them comfort and assurance and information.

He is a towering figure in my world, and I don't think we'll ever forget DONALD PAYNE. I just say, may he rest in peace, and God bless him and his family.

Mrs. CHRISTENSEN. I'd like to yield 2 minutes to Mr. WOLF of Virginia.

Mr. WOLF. Mr. Speaker, I rise today to pay tribute to the life and legacy of Congressman DONALD PAYNE.

As as public servant, Congressman PAYNE has consistently stood with the forgotten people and causes. He has championed their plight and advocated on their behalf, perhaps none more so than the long-suffering people of the southern Sudan.

For years, Congressman PAYNE advocated for self-determination for the people of South Sudan, who had endured great hardship at the hands of the government in Khartoum. He was also the leading voice in urging States in the U.S. to divest from companies doing business in Sudan in light of the government's horrific human rights abuses.

Congressman PAYNE was the sponsor of the congressional resolution calling attention to the horrors unfolding in Darfur, a resolution which was rightly labeled as ''tragedy,'' ''genocide.'' The list goes on and on.

I had the honor of being with Congressman PAYNE in Nairobi, Kenya, in 2005 for the historic signing of the Comprehensive Peace Agreement which marked the end of a brutal civil war between the north and the south which spanned 21 years and claimed the lives of more than 2 million people. Congressman PAYNE labored for years to see that day arrive. No one did more than DON PAYNE to bring about the new country, which is now the country of southern Sudan.

He, fittingly, returned to South Sudan in July of 2011 to join the people of that land in celebrating their long-awaited independence, a fulfillment of the promise. Upon being chosen to be part of the official U.S. delegation, Congressman PAYNE issued the following statement. He said:

> As a ranking member on the House Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, I have been committed to helping Sudan achieve peace and justice.

Indeed, he was committed. Congressman PAYNE worked hard. He traveled to the region countless times. He experienced the people suffering, and then he acted. Congressman PAYNE heard the people suffering and never chose to look the other way.

My thoughts and prayers are with Congressman PAYNE's family as they grieve, and Congress will profoundly miss his voice, as will thousands of others around the world.

Mrs. CHRISTENSEN. I would next like to yield 2 minutes to the Congresswoman from Texas, Congresswoman EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you to my colleague from the Virgin Islands.

I rise to speak today about the loss of Congressman DONALD PAYNE. Congressman PAYNE lost his battle with cancer early this morning, and we in Congress lost an esteemed colleague.

My relationship and acquaintance with Congressman PAYNE came before I came to Congress and meeting him when he served on the national YMCA board and became the chair of the national YMCA board; and I know him as a devoted public servant who used his position in Congress to advocate for those less fortunate, first, as a teacher, and later, serving on the House Committee on Education and the Workforce. He was an advocate for children and worked to make college more affordable.

As the highest ranking Democrat on the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, he worked to promote human rights around the world and helped secure billions of dollars in foreign aid for treating HIV/AIDS, tuberculosis, and malaria.

It is difficult to lose a member of the Congressional Black Caucus family. We're small but very connected. And Congressman PAYNE served the 10th District of New Jersey with dedication and served as the chair of the Congressional Black Caucus as well.

My thoughts and prayers are with his family today in this difficult time.

Mrs. CHRISTENSEN. I would like to yield 2 minutes to the Congresswoman from the District of Columbia, Congresswoman ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the gentlelady for yielding and for leading this Special Order for our good friend and colleague, DONALD PAYNE, whose passing leaves me shocked and deeply saddened after his 12 terms of outstanding service in the House of Representatives.

DON was a friend. He was more than a colleague. He was the kind of friend you could always strike up a conversation with about matters technical or just matters at hand because DON was easy of manner but strong of conviction.

DON was a real path breaker and history maker. He came to Congress as the first African American to serve in Congress from the State of New Jersey. He followed the great Peter Rodino, who had served Newark for decades. Newark had become a majority African American city, but DON grew up in a neighborhood that was as Italian as it was black and felt comfortable with people of all ethnic groups.

When Congressman Rodino, who was then chair of the House Judiciary Committee, retired—this was, of course, before I came to Congress, but it was much commented upon—DON, who had run against him several times and was the logical person to win that seat, plunged into his work for a city that needed a man of his depth of understanding and conviction of their problems, their education, their health care, their housing needs.

For Newark, when the Congressman came here 12 terms ago, personified, symbolized the great urban communities of our country and the upheavals that they were undergoing. He plunged into that work, and yet he was able, at the same time, to become perhaps the House's most expert Member on Africa and the Caribbean.

□ 1600

DON was a leader on Africa, who did not work from the newspapers or the journals, but traveled the continent and came back with firsthand information. For the Congressional Black Caucus, DON was the go-to man. Nobody from the caucus moved on a matter affecting Africa without going to DON

first. Go to the expert first, find out if you're on the right foot, and then perhaps move forward.

DON was rigorous in his evaluation of the leadership of the various countries of Africa. He never withheld when an African leader needed the strong criticism of the United States and his own strong criticism. Thus, his leadership was trusted all across the Congress when he stepped forward with his views. He worked with every President because Republican and Democratic Presidents alike have been involved in the issues affecting Africa; and they, like us, turned to DON on those issues.

Where will we find such a Member today? Is there such a Member who has devoted so much of his life not only to urban America, but especially to Africa, who knew everything, knew everyone, and knew anything we needed to know?

DON will be greatly missed by this Chamber. He will always be remembered. I know I speak for us all when I say that his family has our deepest sympathy and our everlasting love.

Mrs. CHRISTENSEN. Thank you, Congresswoman.

I would like to now yield 2 minutes to one of DONALD's colleagues from New Jersey, Congressman HOLT.

Mr. HOLT. I thank the gentlelady.

Mr. Speaker, all of us are saddened by the country's loss of DON PAYNE, and it is going to be hard to get used to the absence of DON.

DON has been a good friend to me, someone I've looked up to here in Congress.

No one in Congress has been a stronger advocate for equality of opportunity in education. No one in Congress has been a greater advocate for children services and youth development. No one has been more knowledgeable about Africa. No one has voted more consistently for peaceful and nonmilitary resolutions to problems. No one has been more consistent in the fight to respect workers' safety and workers' conditions.

Throughout all of this, DON PAYNE was very attentive to the interests of the entire State of New Jersey and especially to the interests of his constituents.

He was instrumental in bringing international attention and condemnation to the genocide in Darfur, as we've heard already.

As a former educator, he brought an invaluable perspective to our work together on the Education Committee. He was responsible for getting many millions of dollars to the PEPFAR program for dealing with HIV, resistant TB, malaria around the world, and especially in Africa. I might add he did that with President Bush.

He was a strong advocate for an adequate minimum wage. He was a key player in writing the College Cost Reduction and Access Act to cut interest rates for college loans, to increase Pell Grants, and to provide loan forgiveness to public service employees with student debt. It was a great pleasure and really a marvel to watch him on the Education and Labor Committee.

DON was, I think you would say, an unabashed liberal, recognizing that there are some things that we can do better together than separately. He was not a you're-on-your-own kind of guy. That was true in person too. He was very inclusive. He had good humor and dignity in everything he did. DON PAYNE was a good friend, a good Member of this House, and a great public servant.

My thoughts and prayers are with his family and his many friends, and I know his constituents will be hard pressed to find somebody to represent them as well as DON PAYNE.

Mrs. CHRISTENSEN. Thank you, Congressman HOLT.

Now, I would like to yield 2 minutes to another colleague from New Jersey, Congressman FRELINGHUYSEN.

Mr. FRELINGHUYSEN. I thank the gentlewoman for yielding.

DON PAYNE and I have been friends for over 35 years. We served together in county government as freeholders in New Jersey from our respective counties, Morris and Essex Counties, before he preceded me to Congress.

During his service in this House, he worked long and hard on issues that literally cried out for attention.

At home we all admired his steadfast commitment to ensuring that our Nation's children had the best quality education possible.

Abroad he focused on global public health issues like childhood survival and human rights on the continent of Africa and elsewhere. DON PAYNE took up the cause for suffering people around the world and gave voice to their plight even at great personal risk.

Mr. Speaker, DON PAYNE loved Congress, he loved public service, he loved New Jersey, and he loved his hometown of Newark.

I was proud to work with him to revitalize the Passaic River in Newark, that waterfront that for many years had remained inaccessible to the public.

DON will be sorely missed, especially for his dedicated service to his constituents over many decades. I'll never forget his valuable service and his enduring friendship. We've lost a great principled man who lived a life from which we could all learn something.

May the tributes and prayers of so many of his colleagues here this afternoon today be a source of strength to his family.

Thank you.

Mrs. CHRISTENSEN. Thank you for joining us and for offering those words on behalf of Congressman PAYNE.

I would now like to yield 2 minutes to the Congresswoman from California, another dear friend of Congressman PAYNE, LYNN WOOLSEY.

Ms. WOOLSEY. Mr. Speaker, I rise to pay tribute to a man I loved, a man I respected, a friend for life, and a mentor.

When I came to Congress, I couldn't have picked a better mentor: a public school teacher from New Jersey, someone kind and smart, dedicated, actually burning in his belly about issues of value and conscience.

I served on Congressman PAYNE's Africa Subcommittee. He served on my Workforce Protection Subcommittee. On both panels, I benefited from his wisdom, advice, and his expertise. On the Africa Subcommittee, I was always amazed at how much and who he knew.

This is a man who knew what public service was all about. He was, as he described himself, a mild-mannered man; but he was also tenacious, dedicated, and stubborn.

No one has worked harder to bring peace, democracy, and human rights to Africa. He almost gave his life for the cause a few years ago when his plane was shot by rebels as he prepared to come home after a Somalia mission that actually the State Department had warned him against.

As change continues and as change continues to come—particularly to Africa in the coming years—we'll all remember the role that DONALD PAYNE played in laying the groundwork in helping make that change happen.

A true statesman and a humanitarian, DONALD's death this morning already leaves an indescribable void. DONALD PAYNE had a huge heart and a keen mind. And believe me, I will miss them both.

Mrs. CHRISTENSEN. Thank you, Congresswoman WOOLSEY.

I would now like to yield 2 minutes to another colleague from New Jersey, Congressman LANCE.

Mr. LANCE. Thank you very much, and thank you for yielding.

The Payne family occupies a fabled position in the history of Newark, New Jersey's largest and greatest city. The whole family has been involved in public service; and, of course, Congressman PAYNE's public service here is of almost a quarter-century duration.

□ 1610

Congressman PAYNE succeeded Congressman Rodino, the distinguished chairman of the House Judiciary Committee at the time of Watergate, well-known in American history. Congressman Rodino succeeded Congressman Hartley, who was the Congressman from that part of New Jersey for a generation, he, the author, with Senator Taft, of the Taft-Hartley Act.

Over the course of the 20th century, in the district that has been represented by Congressman PAYNE for a quarter century, the provenance of that district is Fred Hartley, a Republican, of the Taft-Hartley Act; Peter Rodino, the distinguished chairman of the Judiciary Committee during Watergate; and now for 24 years, DONALD PAYNE. The character of that district is the character of this Nation and certainly the character of the great city of Newark over the course of the 20th and into the 21st century.

The Payne family not only includes the distinguished Congressman, but his brother, Bill Payne, with whom I had the honor of serving in the New Jersey Legislature. His brother, Bill, and I worked together in the creation of the Amistad Commission in New Jersey. Of course, that commission dealing with the work of the great Amistad trial based upon the mutiny in 1839 of a slave ship, so brilliantly defended by John Quincy Adams, whose portrait hangs 10 feet from the entrance of the House of Representatives. And in working with Congressman PAYNE's brother, Bill Payne, in the New Jersey Legislature, I got to know the Payne family and certainly, through his brother, Bill, I got to know the Congressman, and what a great honor for me to have served here in Congress with DON PAYNE.

Mr. Speaker, finally, several days before Martin Luther King was assassinated in Memphis, he was in Newark, and he was in Newark at the request of leaders there, including DONALD PAYNE and William Payne. Among the most prized possessions of the Payne family are photographs of Martin Luther King taken days before his assassination as the Paynes were attempting to bring about justice in the city of Newark. Certainly no Member of the House of Representatives was more committed to justice, not only here in this country, and within this country, in the city of Newark and the State of New Jersey, but justice across the world, so that children in poverty could have a decent quality of health care and, as has been cited, the Congressman almost lost his life in that regard.

The country is poorer for the loss of DONALD PAYNE, but this country is greater for his public service, his public service on the governing body of the city of Newark, his public service as a county commissioner—we use the term freeholder in Essex County, New Jersey—his public service to the entire State, and I respectfully suggest, to the United States of America. We mourn his loss, but we celebrate his life.

Mrs. CHRISTENSEN. Thank you, Congressman LANCE.

I yield to the gentlewoman from California, Congresswoman MAXINE WATERS, who I believe succeeded DONALD PAYNE as the chairperson of the Congressional Black Caucus.

Ms. WATERS. I appreciate your organizing the time for us to come to the floor and speak about our friend, DONALD PAYNE. We are all so sad, and we are going to miss him, but we also know that the service that he gave to this country, even long before he came to the Congress of the United States, and the service that he has given to this country since being a Member of Congress, is unmatched by any Member of Congress.

DONALD PAYNE was a true servant who not only served his State of New Jersey, but DONALD PAYNE was someone who took care of his district. When I take a look at all of the capacities that he served in in the State of New Jersey, I am just in awe, counting Democratic chairman, executive of the Prudential Insurance Company, vice president of Urban Data Systems, educating the New York and Passaic public school districts, a former national president of the YMCA, chairman of the World Refugee and Rehabilitation Committee—it goes on and on and on. And he brought with him to Congress the same attitude, the same commitment to service.

Since his service in Congress, of course, he left us as chair of the Congressional Black Caucus Foundation. He served as the chair of the Congressional Black Caucus immediately prior to my being elected to the chair of the Congressional Black Caucus, and I learned a lot from his service about how to chair the Congressional Black Caucus.

DON PAYNE was known for several things but certainly known and respected for his commitment to education, closing the achievement gap, making sure that we expand opportunities for the least of these with Pell Grants, making sure that he reduced the interest rates on some of the loans, the Stafford loans, for example. He was known because he understood that as a public policy maker he could influence education in this country, and he certainly did that.

I also would like to point to his record of achievement serving as the chair of the Africa Subcommittee of the Foreign Affairs Committee, where he was the expert, unmatched. As a matter of fact, DONALD PAYNE traveled to Africa, East Africa, West Africa, throughout his career, and he knew all of these countries on the continent, and he knew the leaders, past and present.

As a matter of fact, DON didn't wait for a codel of a lot of people to be organized to go to a troubled spot. DON would get on the airplane by himself, a one-person codel, and travel, set up his own meetings with the leaders of those countries, talk with them about what was taking place in those countries and get such an understanding of what needed to be done. He coupled all of this with the history of the countries of Africa.

DON was an educator, he was a teacher, he was a historian. So he knew a lot about the backgrounds of these countries because he had studied that. When he coupled that information with what was going on at the present time that he was visiting and working on issues in those countries, he made it all come together, and he helped us all to understand. He was our go-to person on Africa for sure.

When we wanted to know what was going on—and some people who were not that involved in foreign affairs and in Africa, they just followed his vote. When they looked upon that panel, they looked at how DON PAYNE was voting, and then they followed his leadership.

We are going to miss that leadership. We are going to miss this dedication. We are going to miss this mild-mannered man who loved his job, who loved his district. I'm always going to remember that he invited me to his district on several occasions. I went up with DON, I campaigned with him. I went about the community. He introduced me to the ministers, and he was well respected and loved in his district.

Of course, we all know why, because he was dedicated to the district, and he did so much for the district. The district is going to miss DON PAYNE. It will be hard to match the work that he did and his success and his achievements. We're going to remember each time we're involved in some of the same issues that DON was involved in. We're going to ask ourselves, what would DON have done, and we're going to follow the thinking of DON PAYNE on those issues.

Mrs. CHRISTENSEN. Thank you, Congresswoman WATERS.

I yield 2 minutes to the Congressman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. I thank the gentlelady.

Mr. Speaker, it is said that a politician will always rise to the occasion, and the Honorable DON PAYNE did rise to the occasion on many occasions.

But it is also said that a statesman makes the occasion. DON PAYNE was more than a politician, he was a statesman. He made the occasion in Darfur, where he went to make sure those who were suffering, among the very least, among the very last and the lost, that they would have an opportunity to have a better quality of life, and he was to this day still working to help the people of Darfur. He made the occasion when it came to AIDS, $50 million, $50 million to help those who are beset with this disease.

He made the occasion when it came to working with his colleagues, pulling us together, helping us unite to do things collectively that we could never do apart. He developed a symbiotic relationship among his many relationships. When I think of DONALD PAYNE, I will always remember that he was a person of honor. He honored his word. To his friends his word meant something, but more importantly, he honored his word to foes, people who disagreed with him. Once they had his word, they had a word they could count on.

I will remember that he was a person who respected this institution. This institution meant something to the Honorable DON PAYNE.

□ 1620

What this institution stood for and how we could utilize this institution to make a difference in the lives of others was important to him. He was a person of valor. He would stand with you. He was determined. He was a fighter. He came under fire, I'm told, in Africa as he was trying to help others.

And finally, I will say this: I truly do believe that God is good all the time.

Even under circumstances such as these, I believe God is good because we didn't have to have him for 77 years. We didn't have to have him in this House for 12 terms. I didn't have to have him as a friend for 8 years. I believe that God is good all the time, and I am so proud that God allowed him to come this way and I had the benefit of calling him my friend.

DON, we love you, and I know that wherever you are, there is a statesman there who is making the occasion.

Mrs. CHRISTENSEN. I thank Congressman GREEN, and now I would like to yield to another colleague from New Jersey and friend of DONALD PAYNE, Congressman CHRIS SMITH.

Mr. SMITH of New Jersey. I thank you very much and appreciate the gentlelady for yielding. Let me join my distinguished colleagues in expressing our deepest condolences to DON PAYNE's family. He was truly a remarkable man. I had the privilege of sitting next to him for about 15 years as I was the chairman or he was the chairman of the Human Rights Committee, the Africa Committee as well. I was his ranking, he was my chairman, and we always worked in a very cooperative way. We always had mutual respect, and he had such a deep compassion for the people who have suffered so much on the subcontinent of Africa.

DON PAYNE was quiet, but always determined. Extremely thoughtful, a humanitarian in the extreme, and he fought for so many important issues. You know, it was not a slam dunk or in any way a given that PEPFAR, the President's Emergency Plan for AIDS Relief, would become law. DON was there working in a bipartisan way to ensure that sufficient funding, sufficient authorities were given to the U.S. Agency for International Development to mount a massive effort to combat the pandemic of HIV/AIDS. He did the same thing with malaria and the Malaria Caucus, and he did the same thing with tuberculosis, which sadly is an opportunistic disease that afflicts so many people who have HIV/AIDS.

On the Sudan Peace Act, again when we were looking and working so hard to try to stop the slaughter in South Sudan, there was DON PAYNE working every day of the week to ensure that somehow peace would break out and the genocide would end there, as well as in Darfur.

Again, I know that he cared deeply because I was there having those conversations with him day in and day out. You know, very often in my Subcommittee on Human Rights when I chaired that and he was the ranking member, we would go on receiving testimony, debating for hours. There would be two Members left standing in the room, DON PAYNE and me, because he cared so deeply about human rights globally, as well as in Africa. He will be deeply missed. Again, a great man, a great friend, and his passing is mourned by everyone in this Chamber and everybody in the State of New Jersey.

God bless him, God bless his family; and thank you, DON PAYNE, for the great work you did in the U.S. House of Representatives.

Mrs. CHRISTENSEN. I thank Congressman SMITH, and now I'd like to yield to the gentleman from Michigan (Congressman CLARKE).

Mr. CLARKE of Michigan. Mr. Speaker, I want to thank the gentlewoman from the Virgin Islands for yielding to me.

I am one of the newest members of the Congressional Black Caucus. Being a freshman here in this body, you become immediately aware of the traditions of the House. For example, male Members of the House are referred to as the gentleman from the State that they represent. DONALD PAYNE was a gentleman not because he was elected to Congress but because he was a good, decent human being. He welcomed me with open arms as a new guy from Detroit that very few in the House even knew about.

Less than 2 weeks ago, DONALD PAYNE returned a call that I had placed to him. We had a short, but gracious, conversation. And I knew after I hung up the phone that I would see him soon right here in the Halls of Congress, but that never came to pass. The lesson is clear to all of us: our time, our life here on Earth is very fleeting. Let's do everything we can to cherish each moment, not necessarily to pursue a wild ambition or do a lot of things, but just to be like DONALD PAYNE, respecting others, caring for others. That's what he stood for.

Mrs. CHRISTENSEN. I now would like to yield to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I thank the gentlelady for yielding me this time. Just a few hours ago, we lost a dear friend, an esteemed and honored and respected colleague, Congressman DON PAYNE of New Jersey.

DON was a proud member of the New Jersey delegation. He was a faithful servant to his constituents. For more than two decades, he served them in this body. He was also a committed member of our Foreign Affairs Committee. He was chairman and the ranking Democrat on the Subcommittee on Africa, Global Health and Human Rights; and in that capacity he showed us his unwavering commitment to fighting diseases worldwide, but especially in Africa. He shone the light on human rights abuses throughout the world. DON's tireless efforts provided a voice for the afflicted and for the oppressed.

We are saddened as an institution, as a body, and as friends by the loss of such a courageous and loyal and conscientious public servant. DON will be greatly missed by our Foreign Affairs Committee because he was such a tireless advocate for the causes for which he felt such passion.

He will be missed here on the House floor because he was ever present whenever there was an important issue to be debated. He will be missed in his home State of New Jersey where he was so revered and respected by his constituents whom he so faithfully served. He will be missed especially by the thousands and, indeed, countless people whom we will never know who he inspired and he impacted throughout his tenure and long career in public service.

So without a doubt, Congressman DON PAYNE's contributions will be remembered for many years to come, and our thoughts and prayers are with all of the Members of the Payne family and all of the people whom he touched in a very special way.

I thank the gentlelady for the time; and in our Foreign Affairs Committee tomorrow, we will hold a special remembrance for Congressman DON PAYNE.

Mrs. CHRISTENSEN. Thank you, Congresswoman ROS-LEHTINEN. And now I would like to yield to the gentleman from American Samoa, Congressman FALEOMAVAEGA.

□ 1630

Mr. FALEOMAVAEGA. I do want to thank the gentlelady from the Virgin Islands for managing the time for our colleagues in this Special Order that has been taken to honor our good friend who has just passed away, Congressman DON PAYNE.

Congressman DON PAYNE was my classmate. We sat next to each other for the past 23 years as members of the House Foreign Affairs Committee. We were talking about the situation where it looked very interesting as proud Americans, and yet we knew something was missing here in terms of the activities of how our foreign policies have come about, in doing things about our relationship with other countries, so DON PAYNE was committed to looking after the needs of what are our foreign policies towards Africa. My commitment was to find out what are our foreign policies towards the Asia and the Pacific region.

I want to share this little interesting thought with my colleagues. When DON PAYNE and I first became members of the House Foreign Affairs Committee, hardly any of the members wanted to be on the Asia and the Pacific or Africa subcommittees. The mentality here in Washington was entirely towards Europe and the Middle East. Being members of these two subcommittees was almost like the pits. They were not even on the radar screen, weren't even given any real sense of priority or interest.

I want to say to my colleagues that it has been truly an honor to be sitting next to my brother, DON PAYNE, and to commit to the idea that as a champion and advocate for the needs of the poor, the great champion of human rights throughout the world, not just towards Africa, but all other regions of the world, DON PAYNE and I worked on the plight, the needs of the people of West Papua, New Guinea.

I always have remembered DON PAYNE's admonition to me every time we discussed issues about fairness and equality. He said,

Eni, let me just remind you of what Martin Luther King, Jr., once said: ''In the end, we will not remember the words of our enemies, but the silence of our friends.''

I think it's so true in terms of what he instituted in my own heart and mind: you can't just sit back and just let things go by. We've got to be out there being proactive and expressing ideas that will solve the many issues and the problems that we are faced with, not only in our own country, but throughout the world.

I want to express my deepest sympathies and condolences to the family of my brother, Congressman DON PAYNE. And I'm reminded of the saying, ''blessed are the peacemakers, for they shall be called the children of God.'' This truly was a peacemaker, whom I've had the honor and privilege of witnessing his life as an example not only to our colleagues, but certainly to the Members of the American people. Both in deed and by his conduct, DON PAYNE was truly a statesman, and his voice will be surely missed in the years to come.

Mr. Speaker, I am so happy to see that so many of our colleagues are here to pay special tribute to this great man, a gentle man, and yet by such great tremendous example showing us what we should be doing: going about and helping other people. I want to wish him well. We have a saying in my culture, ''Ia manuia lau faiga malaga''—''May you have a good voyage.''

Mrs. CHRISTENSEN. I thank the gentleman from American Samoa.

I would now like to yield 2 minutes to the gentlelady from Illinois, Congresswoman JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Thank you for this opportunity to speak about a really good friend of mine, DON PAYNE. When I heard that his situation was grave, I gave a call to his brother, Bill, whom I had gotten to know on trips that he and DON took, and had the privilege then of speaking with DON. He was in hospice. This was just a couple of days ago. And I was able to tell him how much I loved him and able to tell him that I hoped that he found peace and comfort in the knowledge that he helped so many people in this world.

DON PAYNE was a real citizen of the world, a quiet and dignified gentleman, but he had a fierce commitment to justice and human rights everywhere. He was really the de facto ambassador to Africa. No one in this Congress knew or cared more for the people of Africa. He also personally knew the leaders, and they knew and respected him. His knowledge and his relationships will leave a big hole here. He was the go-to person. If you wanted to know anything about what was going on, the political situation, or who was who on the continent, DON PAYNE was the one to go to.

As I said, I was able to travel with DON and Bill to many places around the world and always listened carefully, as everyone did, when DON spoke with the kind of knowledge that he had about all things dealing with foreign relations, about all things dealing with human rights. So my heart goes out to my good friend, Bill Payne, to the children and grandchildren and one great grandchild of DONALD PAYNE, my beloved friend, whom I'll miss so much.

Mrs. CHRISTENSEN. Thank you, Congresswoman SCHAKOWSKY.

I would now like to yield 2 minutes to another colleague of DON PAYNE from New Jersey, Congressman BILL PASCRELL.

Mr. PASCRELL. Ladies and gentlemen, the House has lost a real advocate, a person who respected this institution and who understood what it was.

So I know I speak for all of us when I say our condolences to the family and our condolences to his constituents. He served most distinctly.

Rather than tell you some things I was going to prepare myself about my relationship with DONALD, I got a letter this afternoon, and I think it's appropriate if I read this letter on the floor of the House because it tells us that DONALD PAYNE was not just interested in Africa. His interests as a humanitarian went beyond that.

Sinn Fein President Gerry Adams has spoken of the deep sadness at the death of United States Congressman DONALD PAYNE. On behalf of Sinn Fein, and all of those in Ireland who met Congressman PAYNE on his many visits here, the Sinn Fein leader extended his deepest sympathy to Congressman PAYNE's children and his family circle and many friends. And this is what Gerry's own words are:

Donald Payne was a champion for the disadvantaged and the downtrodden in the United States and around the world. He devoted his life to promoting civil rights, equality and democracy.

My friends, just think who is saying this. A man of valor, a very courageous person, Gerry Adams. This is how close we are in the tribe of humanity and how many times we fail to recognize it.

I met Donald many times both in Washington and in Ireland. He was always very interested in Ireland and had visited the north before the cessations in the mid-1990s. Donald was very supportive of the Irish peace process from the beginning and was a regular participant in briefings which I and other Sinn Fein visitors gave to political leaders on Capitol Hill.

Many of us were there, many of us in this room.

He was also a frequent member of congressional delegations that visited Ireland. Donald will also be fondly remembered by citizens on Garvaghy Road, in north Belfast, and the Short Strand, which he visited at a time when efforts were being made to force controversial Orange marches through those districts.

His experience as a civil rights campaigner resonated with his audience in west Belfast when he spoke there during the west Belfast Feile on the issue of equality and anti-discrimination legislation.

During a debate in Washington on the McBride principles he remarked that: ''I and other members of the Congressional Black Caucus can easily identify with the Catholic minorities. I recognize many similarities in how they are treated with how people here were treated.''

Donald was a thoughtful, generous and well-informed politician who was personally dedicated to improving conditions for others and who worked diligently on behalf of his constituents and of his party.

He will be remembered with gratitude and real affection for his support at difficult and dangerous times in Ireland—in difficult and dangerous times all over the world. He will be sadly missed by his constituents, by people the world over. I want to extend regrets and deepest sympathy to his family and his friends.

Go ndeanfaidh dia trocaire ar a n'anam dilis—may he rest in peace, and may all of his friends gather in this institution that he loved so well.

□ 1640

Mrs. CHRISTENSEN. Thank you, Congressman PASCRELL. And thank you for bringing the sympathies of Sinn Fein to the floor.

I would now like to yield 2 minutes to a person who served with DON for quite awhile on the Foreign Affairs Committee, Chairman DAN BURTON of Indiana.

Mr. BURTON of Indiana. I thank the gentlelady for yielding.

You know, we judge, as Congressmen, our colleagues based upon their ability and how hard they work. But the thing I liked about DON PAYNE, as a colleague with whom I worked for 24 years on the Foreign Affairs Committee, was he was a nice guy. He was really a nice guy. Even when we had our differences—and there were many when we served on the Africa Subcommittee together—we would debate, and then we would walk together down the hall and talk as friends and still discuss our differences, but we did it in such a friendly way, and I really liked the guy.

One of the things I think is so important is we really don't get to know each other too much in this place. We have 435 of us. And people come who are wealthy and some who are very poor, some who came from bad beginnings and tough beginnings and some come from the top; and we don't get to know each other very well. But I knew DON PAYNE because he worked so hard for the people he represented in Newark, and he really fought for them.

He wanted a garage in Newark because of the business downtown. I remember I fought him on that garage and we were able to stop it. And I think one of the things I'll regret the day I leave this place is that I stopped that garage because I think DON PAYNE, as the kind of guy he was, really felt like it was needed for Newark. And DON, if you're listening, if I had a chance, I'd vote differently on that thing.

But anyhow, he was a nice guy. He was a credit to the Congress of the United States and to everybody who knew him. I'd like to say to his family that I extend my deepest sympathies, as the other speakers have said, but I'd also like to say that to his staff. I

know his staff is going through a difficult time right now as well as his family, so I want to extend my deepest sympathy to them as well.

Mrs. CHRISTENSEN. Thank you, Chairman BURTON.

At this time, I would like to yield 2 minutes to another colleague from New Jersey, Congressman ROB ANDREWS.

Mr. ANDREWS. I thank my friend for yielding.

Sometimes the quietest voices are the ones that have the greatest impact. DONALD PAYNE always spoke quietly, humbly; but as we reflect on his life, the impact is monumental.

Tonight, there are villages in Africa where people have self-determination, human dignity, education, and health care because of the impact of his voice and his life. There are people working in the city of Newark, the counties of Essex and Union and Hudson because of businesses he helped to bring and schools he helped to build and progress he helped to make.

As we heard my friend BILL PASCRELL talk about, there are people in Ireland from very different heritages and backgrounds that DONALD brought here who are celebrating his life because of the reach of his voice and of his life.

I think, most importantly, the impact of his voice is the hollowness and sorrow that we all feel here in this institution because the quietness of his voice brought us together at times of discord and stress. DONALD believed passionately in his progressive ideology, but he believed with equal passion in tolerance for those who disputed it. DONALD fought fiercely for the causes in which he and I believed and he and others believed, but he never fought the rights of others to express differing views. He cared very personally about his causes, but he never took personally those who disagreed with him. This is a lesson that we should learn and abide by in this institution in years to come because it makes us better people and it makes our institution stronger.

Later this week, it is a remarkable thing that this humble young man, a school teacher, a leader in the YMCA who at the beginning of his career lost many more elections than he won—lost two elections for the county executive position, lost multiple attempts to become elected to this House of Representatives, and then triumphed—someone from those humble beginnings that world leaders will come to a place of worship in the city of Newark to commemorate his life.

But I think what's more indicative of DONALD's contribution is that as those world leaders come through Newark Airport into the city that DONALD loved, there will be janitors and school teachers and truck drivers and day care providers and laborers and electricians and Americans of all walks of life, people of all walks of life who will know and acknowledge the great impact of this quiet voice.

His voice has sadly been stilled; but let us celebrate the fact that his impact will live in our world, in our country, in our institution, and in our hearts forever. May God bless his family and comfort them at this time of affliction.

Mrs. CHRISTENSEN. Thank you, Congressman ANDREWS.

At this time, I would like to yield 2 minutes to the gentleman from Troy, the gentleman from Georgia, Congressman JOHN LEWIS.

Mr. LEWIS of Georgia. I want to thank the gentlelady for yielding.

I rise today to honor the memory of our beloved colleague, the distinguished gentleman from the State of New Jersey, DONALD PAYNE.

Today we have lost a wonderful and good friend, and the people of the 10th District of New Jersey have lost a fearless leader and advocate.

Any American can be elected to public office, but not everyone can serve with dignity and great respect. DONALD PAYNE, my friend, my brother, enjoyed the admiration of his colleagues because he led by example, and through quiet, determined diplomacy he accomplished a great deal.

A deep sensitivity to the human condition was at the center of all he did. His work was an extension of the belief that each of us has a responsibility to serve one another, and that we must use the power and resources of a great Nation to relieve the burdens of the poor, the oppressed, the hungry, and the sick. That is why this former public school teacher wanted to unlock the power of education to free those who are struggling in the urban centers in America. And that is why he was a tireless advocate for the people of Africa because a heartfelt compassion guided all that he did.

In a time when the needs of the poor are hardly spoken, when the cries of the locked out and left behind are rarely heard, the Chamber will deeply miss a gentle statesman with a heart that was big enough to serve all humankind.

The thoughts and prayers of the people of the Fifth District of Georgia and many Members of this Congress are with his family, staff, and friends now as they move through a difficult time. Just know that DONALD PAYNE was loved, and he will be deeply missed, not only by the people of the 10th District of New Jersey, but by people around this Nation and all around the world.

□ 1650

Mrs. CHRISTENSEN. We are coming close to the end of our hour. I think our colleague will probably yield us some time, but I would like to close out this particular hour, and I ask unanimous consent to extend the hour to allow the Members who are on the floor to speak.

The SPEAKER pro tempore. The Chair cannot entertain a request to extend a special-order speech.

Under the Speaker's announced policy of January 5, 2011, the gentleman from Tennessee (Mr. ROE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROE of Tennessee. I yield to your next speaker.

Mrs. CHRISTENSEN. The next speaker would be Congressman EMANUEL CLEAVER, the chair of the Congressional Black Caucus.

Mr. CLEAVER. Mr. Speaker, this is not one of the highlights of stepping into the well of the House. This is a moment that does not yield great joy, at least not for what just happened in terms of the death of my friend and my colleague, DONALD PAYNE. There is, however, some joy, and the joy is related to the fact that I had the opportunity to know DONALD PAYNE, and I believe that my life was enriched because of it.

During his final days here in Washington, I had a number of conversations with him at Georgetown Hospital where I tried to, and was successful at least on a couple of occasions, in getting him to laugh, even as he experienced excruciating pain in his hospital bed.

DONALD PAYNE can be observed by all Members of the House, and from that observation, we can extract something that can make this place better. DONALD PAYNE was about as good and decent a human being as has ever walked the Halls of this stately House.

At a time when many elected officials believe that acidic language, acrimony, and red meat discussions are the order of the day, DONALD PAYNE was firm, soft-spoken, and respectful. No matter what happened, you could count on DONALD PAYNE being calm through it, except on one occasion, which I will not talk about on the floor. We'll talk about it later, but not here.

But DONALD PAYNE was a man who was as peaceful in private as he was in committee or even on the floor. He had a passion for the diaspora. And I joked with him that everywhere I've ever gone in the diaspora, people asked about him.

Just 1 week before he died, 1 week, I met with a representative from Brazil who was inviting members of the Congressional Black Caucus to come to Brazil to meet with their caucus and they would send members here. Before the meeting ended, as I knew would happen, he asked about DONALD PAYNE. And I don't believe there is an elected official or a king or prince or a potentate in the diaspora who does not know the name of DONALD PAYNE.

And what I hope will happen is one of the Members will pick up the mantle and delve into the issues and matters of foreign relations as has DONALD PAYNE. Somebody needs to step up to the plate and do that.

My final comment is this: I hate cancer. I hate cancer. I can't think of a human being that I hate, but I hate cancer. And in my hatred of cancer, I have come to the realization that all of us are temporary, that we are not permanent creatures. No matter how

strong and healthy we feel we are, we are all temporary. And if we understand our temporariness, it might inspire us to be just a little better, a little kinder, a little nicer, a little more receptive to others, because we are temporary, at least in this place.

Now, I conclude by saying that life must end, but death is not a cul-de-sac. It leads somewhere. And if DONALD PAYNE is not there, that door must be locked and the rest of us can give up. He was about as good and decent and loving a human being who's walked these Halls, and I'm glad that God gave me the chance to know him.

Mr. ROE of Tennessee. I now would like to yield time to the minority leader from California (Ms. PELOSI).

Ms. PELOSI. Thank you, Mr. ROE, for yielding. I thank you and I thank our colleague, Congresswoman CHRISTENSEN, for taking this Special Order today so that we can sing the praises of a great man, our colleague, dear friend, precious person, DONALD PAYNE.

I waited. I said I wanted to go after Mr. CLEAVER because I didn't know how I was going to even have the strength to come to the floor because this is a personal as well as official loss to many of us here. And he is always a source of strength to us, putting in perspective the fragility of life and the value that we must place on the contribution of all of our colleagues, especially when we are blessed with the life, service, and leadership of someone like DONALD PAYNE. There are very few people that you can say ''someone like Donald Payne,'' because he was exceptional and unique.

When the distinguished Mr. CLEAVER and Reverend CLEAVER says that we have to fill in where and take his mantle, that would be almost impossible to do because, over a lifetime, in public service, and a long time in the Congress of the United States, DONALD PAYNE gained standing on issues that takes years to do. But he did teach us along the way. He gave us guidance on what paths to follow, what clues to recognize, and doing the right thing, whether it was in the continent of Asia, Africa, or Latin America, wherever it was, and in our own country.

I had the privilege of traveling with DONALD PAYNE when we were going to Darfur. He didn't want to go to the Sudan. He'd been there many times, Darfur, but he was at that moment boycotting the regime in Khartoum because of how they treated their people there. And while we were in Khartoum and in Darfur, he was in Ethiopia and Somalia and the rest, always working, always working to have policy advice to all of us and caring about what the impact of that policy was on people.

What was interesting to us, though, it was on that same trip to Africa, which many of the members of the Congressional Black Caucus were on, including our distinguished assistant leader, Mr. CLYBURN, when we went to Liberia it was a boiling hot day. And we all went to the AME college there, the AME university, and they were honoring DONALD PAYNE for his everything, for what he knew about Africa, for his values and how he was concerned about, again, policy as it related to people, the encyclopedic knowledge that he had, the great wisdom that sprang from that knowledge, the plans that he always had to make things better, and the way people just flocked to him because they would learn, they would be inspired, and they would love DONALD PAYNE.

It was boiling hot. And we go there and they decide that we're all going to dress alike that day, so it even got hotter as we donned our robes. And here we were, seeing—not only telling them the esteem with which he was held in Congress, that was the least of it, because what we were hearing was what people from around Africa, the esteem in which they held him, named a library for him at that university in Liberia.

He was a schoolteacher, and he never forgot how important it was for us to put our students first. He called them the bright lights of our Nation's future, for investing in their potential, for inspiring them to succeed, igniting the sparks that they had within them to do their very best.

He was very proud of Newark and serving there. I remember when he first came here, his work on behalf of his constituents, his neighbors, the middle class, working people, people who were striving to reach up into the middle class, he was always working for them.

□ 1700

He was New Jersey's, as has been mentioned, first African American Member of Congress. He remained a committed champion of equality and opportunity for all. His accomplishments, both on his committee, where he served with Congressman GEORGE MILLER, who holds him in the highest esteem, and now the Foreign Affairs Committee, where he serves with Congressman HOWARD BERMAN. Well, to hear the two of them talk today as if they have lost a brother, and we all have.

We all have an appreciation of his hard work ethic. The knowledge that he brought to his subject, the concern he had for the American people, and the love he had for our country.

Just think, last week we had a visit to our office from Bill Gates coming to our office to talk about the issue of global health, and he asked if DONALD PAYNE could be in the meeting. We had hoped that would be possible but then had to say that he was not feeling well that day. That was a week ago.

But up until the end, he was in demand, recognized for his, again, standing on issues that related to the alleviation of poverty, the eradication of disease, again, alleviation of hunger throughout the world. What more could be about the gospel of Matthew than ministering to the needs of God's creation, which the Bible tells us is an act of worship. To ignore those needs is to dishonor the God who made us. DONALD PAYNE was all about worshipping God by ministering to the needs.

He was an expert on economic, political, and security situations throughout Africa, and I had the honor of nominating him, recognizing his extraordinary work around the world. I was proud to recommend that President George W. Bush name Congressman PAYNE, our representative of the House Democrats, at the United Nations. Usually it was just for one term. In the case of DONALD PAYNE, we went well beyond that in recognition of the extraordinary contribution that he makes.

So again, whether it was in his own district, whether it was Newark, New Jersey, or across the world, he was a powerful and passionate voice. I hope it's a comfort to his children—to Donald, Jr., to Wanda, and Nicole—and all who loved DONALD PAYNE, his dear brother, Bill, who traveled with him frequently and loved him so much, I hope it's a comfort to them that so many people who knew him well, loved him so much, mourn their loss and are praying for them at this sad time.

With that, Mr. Speaker, I again thank Mr. ROE and Congresswoman CHRISTENSEN for the opportunity to say just a few things about our dear friend who will be sadly missed and long remembered. His legacy lives on in the Congress of the United States.

Mr. ROE of Tennessee. I would now like to yield time to the distinguished gentleman from Maryland, Mr. STENY HOYER.

Mr. HOYER. I thank the gentleman for yielding.

This is a sad day for America. It's a sad day for the Congress. It's a sad day for our African American brothers and sisters who have lost a real leader and an extraordinary friend.

I first met DONALD PAYNE when I was in my mid-twenties. He was active in the Young Democrats in New Jersey, and I was active in the Young Democrats in Maryland, and that's how we first met. DON was about 6 years older than I am. When you're in your middle twenties, somebody in their thirties is really old. But we all saw him as a very serious individual, serious about his activities, serious about his objectives, serious about the people.

He had an extraordinarily productive career. As the leader has mentioned and as I know other speakers before me have mentioned, he was a teacher. He was a teacher in the tradition of Frederick Douglass. Frederick Douglass, a fellow Marylander, said that it is easier to build strong children than it is to repair broken men. DONALD PAYNE was focused on that concept as a teacher.

Then throughout his life, he was focused on making sure that America kept the faith with people around the world; that its values, that its hopes, its visions for ourselves were also our hopes and visions for others.

DONALD PAYNE, before he came to the Congress, I think had traveled to more countries than perhaps any other Member of Congress. He cared about people, and particularly people who lived in Africa. I think there was no Member who knew Africa better than DONALD PAYNE, no Member who risked more for the welfare of those who lived on that continent.

My first trip as majority leader, I went to Sudan and to Darfur. I made that my first trip because, at that point in time, it was one of the most troubled—and still remains—lands in our globe. DONALD PAYNE, unfortunately, could not go on that trip. He had another thing to do.

But we had a briefing before we went, and DONALD PAYNE was there. It was clear from those who briefed us that DONALD PAYNE was obviously the person they looked to for knowledge and insight into how we could get from where we were then to the plebiscite, to what is now the independent South Sudan, and hopefully it will remain so, notwithstanding the violence of Sudan itself.

DONALD PAYNE was an extraordinarily conscientious Member of this body, but more than that, he was a man who cared about his fellow man and fellow woman. DONALD PAYNE was a serious Member of this body.

That does not mean he was always serious. He had a sense of humor. He was a wonderful, engaging person, but he was serious about what he did, and it reflected how deeply he cared about those whom he served and about his country.

We could all speak for Special Order after Special Order after Special Order and still not reach the magnitude of praise and thanks that he deserves. Suffice it to say that this body was a better place for his service. As Reverend CLEAVER so eloquently intoned, we were better people for having been his friend and his colleague and his coworker.

I am pleased to join all of you who, like me, knew DONALD PAYNE as a Member of Congress, yes, but as a human being, as an individual, as someone who cared about us, and we cared about him.

I join Leader PELOSI and all of you and our friends on the other side of the aisle, because DON worked across the aisle. DON was not an observer of partisan differences, although he understood they existed. His objective was to work with all for the betterment of all.

So, I'm pleased to have this opportunity to join all of you in thanking God that He gave us DON PAYNE, that He gave him sufficient years to make an extraordinary mark here in this country and around the world.

□ 1710

Mr. ROE of Tennessee. Mr. Speaker, I would now like to yield time to the dean of the Michigan delegation, Mr. CONYERS.

Mr. CONYERS. I thank the gentleman for yielding to me. I also thank DONNA CHRISTENSEN for her leadership in bringing us all together this evening.

This is a wonderful way, when this RECORD is read of this Special Order for DONALD PAYNE, for everyone to know the depth of the love and respect that we all had for this great and gentle human being.

He was a committed public servant and a true champion for social and economic justice at home and around the world. He had a global perspective that helped teach us that all of the 6.4 billion people on Earth are connected and related. So when I was asked to campaign for his first run for Congress that I knew about, which was in 1988, I was pleased to do so. I traveled to Newark and joined with him in that victory. I remember being struck by his deep desire to help people, and I had no idea that he would grow and develop into this leader whom we mourn and praise here today.

Through his work as a member of the House Education and the Workforce Committee and of the Foreign Affairs Committee, he led the fight to address inequities in every realm of existence. He was a great proponent for peace. I must say that I am convinced that he had the spirit and the philosophy of Dr. Martin Luther King, Jr., that he lived and demonstrated every single day of his life. He is the one Member of whom I can say I never saw angry, I never saw upset. When I was able to take him away from his African commitments, I took him to Haiti, where he immediately understood the depth of the suffering and the tragedy that required us to go back again and again and again.

So, DONALD PAYNE, what has been said of you today is only a small token of the contributions that you have made during your life. You will be missed by your colleagues. You will be mourned by your family. You will be treasured by many people in many places on this globe.

Mr. ROE of Tennessee. I will now take the opportunity to yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I want to thank my distinguished friend for your kindness and generosity in yielding the time and to the Speaker. I want to thank Dr. CHRISTENSEN for starting us on this journey, and I want to thank the Speaker for being educated by these powerful words of my colleagues.

I do want to say that, if you had to give a tribute biblically to DONALD PAYNE, you would certainly quote from Timothy in saying, ''I fought the good fight.'' I am grateful to also say that DONALD PAYNE had a lot of fun in life. Some of us can trace our friendship to years past, to decades past; but I know that, as the world loves DONALD PAYNE, he loved Newark and New Jersey.

I had the good pleasure of joining him and his friends during the last Congressional Black Caucus. We had a variety of receptions to meet our constituents, and there was nothing but love in that room. I had, I would call it, the humble privilege to visit him at Georgetown Hospital, where his brother and sister were in the room as well as the chief of staff, and to have him smile as some of our colleagues have said. In the course of being in the room, I heard that the former President of South Africa, President Mbeki, was trying to reach him.

There would be a long list of Presidents and former Presidents and others of great renown trying to reach him; but you cannot in any way doubt the fact that in his acceptance and acknowledgment by all of those iconic figures, President Mandela as well, that he as a progressive stood along with the family members he loved, whether it was his son, who was a council member, and his other children or Bill Payne, and epitomized the struggles of a generation of African Americans in Newark and New Jersey in the 1950s and the 1960s, and he was on the front lines of fighting for equal rights out of the North Ward.

Oh, leave it only to DONALD PAYNE to talk about New Jersey politics, and he loved it. He had an iconic presence, but he also had a leadership, boss-man presence—and I say that lovingly—because if you needed something in that area, as my good friends, Brothers PALLONE and PASCRELL out of that area, knew, no matter who you were in his district who needed something, you could get ahold of DON PAYNE. He loved the richness of his district and its diversity, but you can be sure that he was fighting for the poor and dispossessed.

Maybe that's what brought him to his affinity and kinship for Africa. One of my predecessors, Mickey Leland, whom DON PAYNE knew, we always said died on the side of an Ethiopian mountain while trying to feed those who could not feed themselves.

But DON PAYNE was everywhere, from Ethiopia, to Sudan, to South Africa, to Angola, to the Congo, to Ghana, to Liberia. He was in all of those, if you will, conflicts where he wanted to bring about peace. He counseled Presidents—Republicans and Democrats. I remember Bill Clinton's historic trip, and you can be assured that DONALD PAYNE was at the nexus of drawing him to making that historic trip. I believe, in 1998, he counseled George Bush and others, and he counseled President Obama.

I don't know if many of you know that DONALD PAYNE was a longshoreman who worked on many different places; but when reminded of his work as a longshoreman, he said, I loved the port. I heard a Member talk about that, I believe, but he loved the working person.

Let me just conclude, as I salute him for being the progressive who did not forget the poor as well as being one who could speak eloquently with the leaders of international positions around the world, albeit that he was coach and teacher and council member and ethic freeholder, that I remember

traveling to Africa on occasions, plural. In this instance, what I would say, beyond having known that in Somalia he was almost, in essence, taken down, is that many of you will remember the first Kabila, the father of the present President of the Congo, and you will know that that area has always been in conflict and that DONALD PAYNE never shunned going into conflict.

□ 1720

Two places we went: Angola, when it was still in conflict. DONALD PAYNE said, Well, I know we can meet the President in his castle and office and the place where he is, but I'm going up in the bush, and if you all are with me, we're getting on this little one-propeller plane—not two propellers—it only had one—and we're going to go up there and meet with the opponent of the President.

We sat with DONALD PAYNE, encouraging this opponent to put down his guns and come and meet with this President, who through DONALD PAYNE had promised peace. I know that man wished that he had answered the call that DONALD PAYNE made. He never left the bush, and he died in that place. I got to see him up close and personal, where no risk of life was too much for him to bring about peace.

As I conclude, let me simply say to the peacemaker, to the intended noble peacemaker, to the man who didn't shun or didn't shy away from a conflict that might have taken his life, to the lover of Newark, to the lover of his family and his children, to the lover of his staff, to the lover of this institution: DON, may you rest in peace. Warrior, leader, hero, God knows that you never stopped working, and you deserve that angel's place in Heaven.

Mr. Speaker, I rise today in tribute of the life and service of my dear friend and colleague, Congressman PAYNE. Noted for his quiet gravitas, progressive issues advocacy and pioneering life story, Congressman PAYNE along with his older brother Bill Payne defined the struggles of a generation of Newark Blacks who in the 1950s and '60s fought for equal rights out of the North Ward.

By the dawn of the 1970s, the Paynes relocated to the South of Newark, where they built a political base on Bergen Street that served as the launch pad for Mr. PAYNE's historic campaigns for Congress in the 1980s.

DONALD PAYNE was a champion of the poor and dispossessed not only in Newark but in Africa, notably the Sudan, where he took one of this country's most forceful stands against the genocide he witnessed there. Congressman PAYNE was once arrested in Washington, D.C., for protesting against the Sudanese government.

As the Chairman of the Subcommittee on Africa for the Congressional Foreign Affairs Committee, Congressman PAYNE became a leading advocate for international human rights. "I would be remiss if I did not thank those who are personally responsible for making sure that I know about Africa," said then-President Bill Clinton.

After a 2009 trip to Africa, the congressman prepared to depart from Mogadishu when his plane sustained small arms gun fire from the ground, according to CNN. The congressman had earlier that same day discussed the crisis of piracy off the failed state's coast.

DONALD PAYNE grew up in a section of the North Ward known as Doodletown and worked on the docks in his young manhood. "I love this place," he told longshoremen at a 2008 campaign stop at Port Newark. "I worked down here from 1952 to 1956, on Doremus Avenue, where they used to have about one ship a week, believe me. But we're so glad to see this port come to where it is today."

At the beginning of their careers, he and his older brother worked in tandem as they sought greater African-American representation within the Newark Democratic Party, with Bill Payne very early gaining a reputation as the aggressive activist and DONALD PAYNE showing skills as a diplomat. Never an obvious self-promoter, DONALD PAYNE as a public person embodied old school qualities of humility and toughness. He seldom sought out a microphone but commanded attention naturally by being a presence in the room.

In the aftermath of the Newark riots, the Payne brothers became the strongest South Ward political brand in the city, using the Bergen Street business district as their most visible base of operations. The congressman scorned conventional polling, preferring instead to gauge his own popularity by the number of beeps on the horn he heard as he walked along his beloved Bergen Street.

He was a former leader of the Congressional Black Caucus. DONALD PAYNE served as a Newark City councilman and as an Essex Freeholder. Congressman PAYNE was someone who knew presidents and kings but was more comfortable with the man in the street, that's just who he was.

America has lost a noble statesman, New Jersey has lost a brilliant and caring Representative and I have lost a remarkable friend and distinguished colleague. A skilled and compassionate politician, DONALD PAYNE represented his constituents well. An ardent supporter of educational opportunity, he worked to ensure college was within reach for everyone.

DONALD worked tirelessly for small business and had a focused passion for Africa. Because of his knowledge and dedication to the issues of human rights and peace—he saved lives all over Africa. He enjoyed the respect of his colleagues; his calm demeanor will be missed. DONALD dedicated his life to helping the less fortunate and expanding and protecting human rights everywhere in a strong and determined way. He will be sorely missed by all who knew him. My thoughts and prayers go out to family, friends and constituents at this sorrowful time. The world has suffered a great loss.

Mr. ROE of Tennessee. Mr. Speaker, I now yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, first let me say that I join my colleagues in recognizing not only the life and work of DON PAYNE, but I also wanted to add my personal words of support for what DON meant to me personally as a cochairman of the Caribbean Caucus a number of years ago.

Speaker Hastert asked both DON and myself to become engaged in issues that would be considered in our hemisphere as a result of the war on terror. The Speaker recognized that the Caribbean was a gateway not only for terrorism, but also a number of other issues. DON and I accepted that role, had a number of trips down to the Caribbean, but also met with Caribbean leaders here in Washington, D.C.

DON was always upbeat, DON was always looking for answers and responses to the needs of our friends in the Caribbean, and really found a way to cut some good friendships with people to where they became better friends of the United States Congress and the United States because of his personal involvement in issues and matters.

I enjoyed working with DON. He accepted not only his role and mine, us working together—I as a younger Member, he as a senior Member. He welcomed my advances or ideas and thoughts.

It was difficult for me also as I was walking into the Capitol a few minutes ago to see the beautiful flag that flies outside the United States Capitol at half mast in honor of our colleague DON PAYNE.

So I do want to thank this body for allowing me a chance to express not only my thoughts about DON, but also to recognize him as an outstanding Member of this body.

Mr. ROE of Tennessee. May I inquire, Mr. Speaker, how much time we have remaining?

The SPEAKER pro tempore. The gentleman has 26 minutes remaining.

Mr. ROE of Tennessee. We have 11 speakers, so I would ask if you would limit your remarks. I want to have an opportunity for everyone who wants to speak to speak.

Now I would yield time to my colleague and one of DON's very dear colleagues from New Jersey (Mr. PALLONE).

Mr. PALLONE. I thank the gentleman for yielding.

I have a lot of DON PAYNE stories. I wanted to tell one which I think says a lot about the man.

I listened to what SHEILA JACKSON LEE said before about how he was always humorous and telling jokes, but also about New Jersey politics and how he was so well respected and had the ability to basically tell other Members or indicate to other Members what they should do.

I also listened to HANSEN CLARKE when he mentioned DON being a gentleman. DON was a gentleman, and people respected him as such in the city of Newark and throughout his district.

There was an occasion after the redistricting when I gained an area—I won't mention the name necessarily—in my new district that was mostly African American, and DON PAYNE was very well-known there, and I wasn't known at all.

I actually lived at the Jersey shore. Some of you may know that the people that are down at the Jersey shore, the people from north Jersey and Newark often refer to us with names like ''clam digger'' and other things to indicate

that we're not as sophisticated as the people from Essex County.

I was at a meeting with African American ministers in this new area of my district. And of course the purpose of DON being there was to tell them it was okay; in other words, it was okay that this guy from the shore, the clam digger, so to speak, was now going to represent you because he was okay.

As you know, DON couldn't take an occasion like that without making it into a joke and still getting the point across, but in a very humorous way. So he said to the African American ministers as we assembled:

> Well, you know, this guy Frank Pallone is now coming up here and he is going to represent you. But he is down at the shore, and most of the time he spends his time talking about crabs and fish and the things at the shore. You know, I don't know if he can relate to this urban area now that he is going to represent where you all know me, but I'm going to tell you a story. You'll often see Congressman Pallone in pictures at the shore picking up the crabs, and he picks up the crabs and he talks about how the crab had been injured, and it was important to help the crab, and the crab needed some help and needed to be fixed, needed some health care so it can become a whole crab again and lead a good life.

Of course everybody was laughing at this point, figuring out what this is all about. But it was his way of getting across in a humorous way that it was okay to have FRANK PALLONE represent you, that he was going to relate to you. He could relate to a crab, so he could obviously relate to you.

I don't know if I'm saying this properly, but this is how DON was. He was just able to use humor to get a point across, a very serious point in a very effective way.

I will miss him so much because he made me laugh so many times when situations were serious, and there didn't seem to be much humor, but he always did it in a way that made me understand how important it was to be here as a Member of Congress. He really understood how important our jobs were and how they could make a difference in people's lives.

Thank you.

Mr. ROE of Tennessee. Now I would like to yield to a gentleman also from New Jersey, one of Mr. PAYNE's very close colleagues, Mr. ROTHMAN.

Mr. ROTHMAN of New Jersey. I thank the gentleman for the time.

Madam Speaker, today Newark, the State of New Jersey, and the United States of America lost a hero, and the world lost, especially those that needed help, those who were being persecuted, they lost a champion.

□ 1730

DON PAYNE's family, they've lost their patriarch, the strong, gentle, warm, beautiful, handsome hero who held them together all these many years.

And like so many others, but in a very special way, I lost, we lost a dear, dear friend. I loved DONALD PAYNE. I know he loved me. We spent many times together as dear friends, buddies, laughing and joking, but also many great times speaking about the very, very serious issues confronting our State, his district, my district, the country, and the world.

DONALD PAYNE led an extraordinary life. A young, African American man from very humble beginnings did not have it easy growing up in America and didn't have it easy acquiring political power that enabled him to help everyone, whether it was in Newark or Essex County or New Jersey, the United States or in the world.

History will record that this young man from Newark, DONALD PAYNE, literally saved tens of thousands of lives—he did—all over the world. In America, in Africa, and in Northern Ireland. And he was known throughout the world as a champion of the downtrodden, those in need, and a champion of human rights.

He was a longshoreman; he was a teacher; he was a waiter. He was an elected official from New Jersey who made us all so proud, but he was a citizen of the world. He was a leader in this world.

And he leaves behind a legacy, not only as a beloved husband, father, grandfather, great-grandfather, brother, family man, but also as a dear, loving friend. Beneath that strong, serious statesman's demeanor was a warm, charming, funny, irreverent, smart, and great friend. I will miss him very, very much.

God bless you, DON PAYNE, my friend. God bless you, Congressman DONALD PAYNE, you iconic figure for America and the world. We will miss you dearly, but we will never forget you.

Mr. ROE of Tennessee. Madam Speaker, I now yield to the distinguished gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the gentleman for yielding.

Madam Speaker, in the book of Ecclesiastes 3:1–2, these words are recorded:

> To everything there is a season, and a time to every purpose, and to everything under the sun, a time to be mourned and a time to die, a time to plant and a time to pluck up that which is planted.

Madam Speaker, today a giant oak tree has fallen. There's a gaping hole in the forest. DON PAYNE has moved from an earthly life into an eternal heavenly life. A time, a purpose, a season.

DON PAYNE did not take his time, his season, nor his purpose for granted. Every moment, every season, the purpose for which he was created meant something to him and he gave his life. He spent his life working on his time, his season, and his purpose.

Last Thursday, DON, through his chief of staff, asked me to come to the hospital; and we talked for awhile and he whispered some words to me, some directions for me, some orders from his hospital bed. But what stands out to me on that occasion last Thursday was his last words spoken to me. We were in the middle of votes, and he said: Make those votes. Don't miss those votes.

Here, a man who knew he was spending his last hours on this Earth, he knew that his life was coming to an end. He had told me some weeks before that he had pancreatic cancer and he didn't know what was going to happen, but his last words to me were not ''Woe is me,'' but he was thinking about public service. He was thinking about this House. He was thinking about me and the vote that I was to cast. He was thinking about a time and a purpose and a season.

In the book of Micah, life really becomes quite simple. God asked the Prophet Micah:

> What do I require of thee, O man, but to love mercy and do justice and walk humbly before your God.

Madam Speaker, I know that DON passed God's requirement. He lived his life with purpose. He was a son of Africa, but he was also a servant of Africa and a servant of the world.

We're all going to miss DON. We all looked to DON being a beacon in terms of public service. I will miss him, and my condolences go out to his entire family and his entire staff.

I might add that just this morning my staff and I went to his office, as others have. We sang a song together, ''Jesus, Keep Me Near the Cross.''

DON not only had the cross in mind, but now he sits in his heavenly home in a better place.

God bless you, DON. God bless you.

Mr. ROE of Tennessee. I now would like to yield to the distinguished gentlelady from California (Ms. LEE).

Ms. LEE of California. I thank the gentleman for yielding.

Madam Speaker, it is with a very heavy heart that I rise tonight to honor and commemorate the life of a world leader, but more importantly, a grandfather, a great-grandfather, a father, a brother, an uncle, a boss, a dedicated family member to so many. I offer my condolences and prayers to DON's family, to his staff. They need our comfort during these very difficult days.

□ 1740

DON was more than a colleague to many of us, myself included. He was a very good friend. We lived near each other in Washington, D.C., here, and I had the privilege to drive him home quite often. These were special moments for me which I will always cherish; for it was during these rides that he counseled me. He cracked so many jokes to cheer me up because he always knew what we were going through, and we talked about family, friends and what was really real in our lives.

DON loved children, and he relished his membership on the committee on Education and the Workforce. Of course, before coming to Congress, he was the national president of the YMCA and an elementary school teacher. But, yes, DON was also a global

leader. And I have traveled abroad with DON, and he was greeted as a head of state and a comrade. But DON didn't especially like traveling with large congressional delegations. He liked going by himself and with his brother to the middle of conflicts, sometimes in the bush and in the jungles, to meet with guerrilla leaders and freedom fighters. He helped negotiate truces; and all sides, everywhere in the world, loved and respected him.

Now, for many years, DON was the lone voice in the wilderness calling for a declaration of genocide in Darfur, Sudan. Finally, we all got it. And as a result of DON's persistence working with both sides of the aisle to address the atrocities of genocide, his bill passed, this declaration of genocide, with bipartisan support.

I was honored to serve on Congressman PAYNE's subcommittee for many, many years, the Subcommittee on Africa. He was a brilliant and a fair chairman, and he helped me shepherd and negotiate many bills and many of my legislative efforts.

Yes, I was blessed to have visited DON on Thursday afternoon. He smiled, we talked, he whispered a few words, and he gave me a thumbs up.

I met DON PAYNE through the mail in 1998 when my predecessor, who I know sends his condolences today, Congressman Ron Dellums, told him I was running for Congress. He sent me a wonderful note then—I didn't even know him—and a contribution. And when I was elected, he came up to me; he hugged me and he became my mentor on so many issues.

In closing, let me just say that I know—and we talked a lot about this, and I've been to church with him—that DON PAYNE was a humble man of tremendous faith. In thinking of DON this evening, I'm reminded of a Scripture taken from 2 Timothy, chapter 4, verses 6–8. It says:

> As for me, the hour has come for me to be sacrificed; the time is here for me to leave this life. I have done my best in the race, I have run the full distance, and I have kept the faith. And now there is waiting for me the victory prize of being put right with God, which the Lord, the righteous Judge, will give me on that Day—and not only to me, but to all those who wait with love for Him to appear.

May DON's soul rest in peace.

Mr. ROE of Tennessee. I would now like to yield to the distinguished gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the gentleman for yielding.

Madam Speaker, the untimely passing of my good friend and colleague, Congressman DONALD PAYNE, early this morning is a terrible loss for DONALD's family and friends, the House of Representatives, the people of the Tenth Congressional District of New Jersey, and our Nation.

DONALD PAYNE was a tireless advocate for his constituents at the local and municipal level before winning election to the House more than two decades ago. As New Jersey's first and—until his death—only African American Member of Congress, he was the voice of working families from all backgrounds who called the Tenth District their home.

I am privileged to have known and worked with DONALD PAYNE. I will always be grateful to him for the warm way he welcomed me into this House and into the Congressional Black Caucus. I know that my father, who worked with DONALD for more than 10 years, joins me in extending our family's sympathies to DONALD's family, friends, colleagues, and constituents. As the people of Newark and across the State of New Jersey mourn the loss of their friend, DONALD PAYNE, the people of St. Louis, all of Missouri, and all across our country mourn with them.

His leadership, friendship, and passion for his work will be missed.

Mr. ROE of Tennessee. I now would like to yield to the distinguished gentleman from New Orleans, Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Thank you for yielding, and thank you, Madam Speaker, for the time.

It was once said that a politician worries about the next election, but a statesman worries about the next generation. DON PAYNE was a statesman.

To the Payne family, I offer my sincere condolences and prayers. Thank you for sharing your brother and your father with us. While I do not have as many personal memories as my colleagues of serving with Congressman PAYNE, I stand here as a beneficiary of his work over his 77 years. I can honestly say but not for DONALD PAYNE, I probably wouldn't be here.

I, along with others of my generation and the generations after me, not only in America but all across the world, stand on the shoulders of Congressman PAYNE. So I have the honor and the pleasure of serving with him, but I also have the obligation on behalf of those generations to say thank you to Congressman PAYNE for making this world a better place for us.

If we can remember anything with his passing, we can rest assured that DONALD PAYNE did what he was purposed to accomplish in his lifetime. So I can say right now without a doubt that DONALD PAYNE earned the right to say exactly what Paul said to Timothy, and that is, ''I have fought the good fight, I have finished the race, and I have kept the faith.''

So, Madam Speaker, this body, this country, and the entire world lost a true gentleman in DONALD PAYNE, and we lost a quintessential statesman.

Mr. ROE of Tennessee. Madam Speaker, I would yield now to my colleague and friend from Memphis, a fellow Tennessean, Mr. COHEN.

Mr. COHEN. Thank you, Mr. ROE. I appreciate the time.

Everything has been said just about Congressman PAYNE, and by such wonderful gentlemen and gentleladies who pay tribute to the man. I had the opportunity to meet him early in my entry into the Congress, and he made me feel at home from day one. He was, indeed, a gentleman, quiet but with a marvelous record for peace and for justice for the downtrodden people who needed a helping hand.

I had the opportunity through the auspices of CARE and the Gates Foundation to travel with Congressman PAYNE, his brother and others to Rwanda, to Goma and to Congo this past August; and I saw how he was beloved among people in Africa where he would travel on many occasions before. We shared the experience of going to the memorial to the victims of the genocide there, and Congressman PAYNE told me some stories about when he'd been there with President Clinton, and President Clinton had gone back and expressed his regrets of not having done more earlier to prevent the genocide, but was strong in supporting the nation of Rwanda and the people getting their country back together.

DONALD PAYNE had a progressive record. He was respected and loved by all. I was fortunate that my life intersected with his for he made me feel at home. And as so many other Members of the Congressional Black Caucus have done, he made it to where it wasn't necessary to be a member of the Congressional Black Caucus to be with the Congressional Black Caucus. I value my time with him.

Mr. ROE of Tennessee. Madam Speaker, I yield back the balance of my time.

□ 1750

The SPEAKER pro tempore (Ms. BUERKLE). Under the Speaker's announced policy of January 5, 2011, the Chair now recognizes the gentlewoman from California (Ms. LEE) for 30 minutes.

Ms. LEE of California. Madam Speaker, I'd like to yield now to the gentleman from South Carolina, our assistant leader, Congressman JIM CLYBURN.

Mr. CLYBURN. I thank the gentlelady for yielding me the time.

Madam Speaker, I often quote the poet Robert Frost, who once admonished us that two roads diverged in the wood, and I picked the one less traveled by, and that has made all the difference. I would not quarrel with Mr. Frost, but I would believe that it's the people that you meet as you travel the roads of life that really makes the difference with all of us.

Several years before I came to this body I met DONALD PAYNE. I was a bit in awe of him because he struck out to attain a seat here, and in that race, right after I met him, things did not go as he had hoped—as many of us had hoped. But DON did not lose faith. He gathered himself, and he tried again. And of course, upon his success, all of us know what a successful Congressman he made.

I traveled with DON often. We went to Africa together. Traveling with him on the continent of Africa, going in and

out of country after country, sitting with him as he called heads of state by their names, and to see the respect that all of them had for him was just a joy to behold.

I learned a lot from DONALD PAYNE. And I always, whenever I could, wanted to be around him. Just this past December, in my congressional district, DONALD came to Charleston to help me participate in a congressional panel, talking about sustaining good, healthy communities. DON, that particular day, was sort of the star, as he usually was. I had no idea at that time that we would be in this place today.

I think I can say without any threat of contradiction that if anybody has left his or her mark of service in this body, it was DONALD PAYNE. His record will never, in my estimation, be equaled. To know two continents as well as he did is something few people in this body will ever get to attain.

I want to join with my colleagues in wishing his family—his brother, Bill, who I got to know so well; his son, Donald, Jr.; and other family members—as much sympathy as I can muster. I hope that they will achieve real solace in the fact that their brother, their dad, their uncle gave so much and demanded so little in return.

Ms. LEE of California. I would now like to yield to the gentleman from Illinois, Representative DANNY DAVIS.

Mr. DAVIS of Illinois. I thank the lady for yielding.

We've heard a great deal about Representative PAYNE this evening. Some of the fondest memories that I have of DONALD was talking. He was a philosopher and a poet. All of the things that people have said that he did, he has done those. The last conversation we had was sort of a philosophical conversation. I believe that Tennyson framed DONALD PAYNE long before he was born, and he wrote this poem that said:

Sunset and evening star
And one clear call for me!
And may there be no moaning of the bar,
When I put out to sea,
But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.
Twilight and evening bell,
And after that the dark!
And may there be no sadness of farewell,
When I embark;
For though from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crossed the bar.

DONALD crossed, but he left a great deal behind.

Ms. LEE of California. I would now like to yield to the gentlewoman from New York, Congresswoman YVETTE CLARKE.

Ms. CLARKE of New York. I thank my colleague, BARBARA LEE.

Madam Speaker, today I'm here to pay tribute to a quintessential public servant, a person who tirelessly fought on behalf of his constituents of the 10th Congressional District of New Jersey, and for all Americans of all backgrounds across this Nation. Today I pay tribute and celebrate the life of our beloved colleague, Congressman DONALD PAYNE.

DONALD made history as the first African American in New Jersey to be elected to Congress. He served as the former chairman of the Congressional Black Caucus and was recent chairman of the Congressional Black Caucus Foundation, where I really saw him go to work on behalf of the people across this Nation.

Along with many others, I consider Representative PAYNE not just an accomplished colleague, but a role model and a dear friend. He was a relentless and iconic advocate for the continent of Africa, the African diaspora, as well as the Caribbean region. He spoke out boldly against genocide in Darfur and Rwanda, and fought alongside the Congressional Black Caucus to help Haiti recover from the devastating earthquake that struck the nation in 2010.

Congressman PAYNE was a representative of Newark, but his leadership was global. We are grateful for his world view. We will never forget his passion, zeal, and commitment to improve the United States diplomatic relations around the world.

I count myself fortunate to have established a real bond with Congressman PAYNE. He shared with me his quick wit, and we shared a lot of laughs together. We often joked about who was tougher, Newark or Brooklyn. And he was also very skilled on the dance floor. I had an opportunity to trip the world fantastic with Mr. PAYNE.

And so, I extend my condolences to his son, Councilman Donald Payne, Jr.; to his very devoted brother; his daughters Nicole and Wanda; his grandchildren; great grandchildren; his close friends; his devoted staff; and the people of the 10th Congressional District of New Jersey.

□ 1800

Know that he has left us a great legacy, building blocks, if you will, for future generations of leaders. We will continue to celebrate the contributions of this great statesman. The stars in the heavens will twinkle just a bit brighter as Congressman DONALD PAYNE makes his transition to be with our Creator in heaven.

Thank you, Congressman, for all your commitment and sacrifice for the betterment of our global community.

Ms. LEE of California. I would now like to yield to the gentleman from North Carolina, Congressman PRICE.

Mr. PRICE of North Carolina. Madam Speaker, it was with great sadness that I learned of the passing of my good friend and colleague, DONALD PAYNE. Few Members who've served in this institution have left a greater impression on their constituents, their colleagues, and their country's domestic and foreign policy than DON PAYNE.

From the moment DON set foot in Congress, he was a powerful advocate for the needs and interests of his central New Jersey community and of working Americans across our country. Bringing to bear his impressive and diverse record as a public schoolteacher, President of the National Council of YMCAs, and an elected official in Newark, DON quickly became one of the most forceful and effective advocates for public education in the Congress, playing a key role as a member of the Education and Labor Committee on virtually every major educational reform enacted over the last two decades. As the first African American elected to Congress from New Jersey, DON was an equally forceful advocate for the continued struggle for civil rights, eventually becoming chair the Congressional Black Caucus.

Now, these accomplishments in education and civil rights would qualify as a successful career for any Member, but DON didn't stop there. Driven by his early fascination with Africa and his adventuresome travels there, DON recognized that the struggle for civil rights and human dignity knew no borders, rising to become one of the most effective chairmen of the Foreign Affairs Africa and Global Health Subcommittee that we have ever had in this institution.

Our Nation's expanded focus on AIDS, malaria, and other pandemic diseases over the past decade would simply not have occurred without DON's visionary leadership and moral courage. It was fitting that USAID announced the launch of a DONALD PAYNE Fellowship Program last week, designed to help young people enter careers in international service.

I was fortunate to benefit from DON's knowledge and advocacy personally as he became a founding member of the bipartisan House Democracy Partnership, which I cochair with my California colleague, Representative DAVID DREIER.

DON's counsel and guidance and encouragement were invaluable as the House Democracy Partnership initiated partnerships with legislatures in Africa and conducted outreach in countries affected by the Arab Spring. Our frequent travels together in the region forged a deep and lasting friendship. He probably knew more about the ins and outs of Africa politics than all the other Members of this institution combined. He had strong and well-informed views about what our country's policies should be, and he was ready to articulate those views persuasively, no matter who the President was or which party was in charge.

He also insisted on investigating situations on the ground for himself, which led to quite a few one-man codels and some anxious moments for those who wanted to prepackage congressional visits or maintain airtight security. It was fascinating to talk to him about his diplomatic forays, which

offered a combination of high adventure and a remarkable, inspiring dedication to the freedom and dignity of the people of Africa.

Congress has lost a true statesman, a dedicated humanitarian, and a loyal public servant. We mourn his passing, and we will miss DON PAYNE's counsel and friendship.

Ms. LEE of California. Madam Speaker, I would like to yield now to the gentlelady from Florida, Congresswoman BROWN.

Ms. BROWN of Florida. Often I say, God is good, and the audience says, All the time. But God has been good for giving us the life of DONALD PAYNE.

You know, when you're born, you get a birth certificate, and when you die, you get a death certificate, and that dash in between is what you have done to make this place a better place, and DON PAYNE has done his work.

When I think of what Paul said, You have fought a good fight, and he has. And you've finished the course, but there is still work for us to do.

We talk about DON, DONALD PAYNE, and all of his work in Africa, and I don't know anyone that knew the continent or the people more than DONALD PAYNE.

But I want to mention that my first trip as a Member of Congress was with Congressman PAYNE, and we went to Ireland and we went to other countries. He was an international leader.

I want to thank his family, the constituents that sent him here. You know that you sent someone here that loved. He loved the Lord, but more than that, he was what we want our public servants to be: someone that actually believes in serving the public.

So DONALD's work speaks for itself, and we are so grateful that we've had the opportunity to serve with him.

My thoughts and prayers go out to his family and staff. And in fact, I participate in a weekly prayer call, and I have asked all of the parishioners and participants to pray for him and his family, and all of the constituents who cared about him in the State of New Jersey.

Beyond a doubt, our Nation will mourn the loss of such a dedicated Member of Congress, who lived his life as a true symbol of an ideal public servant.

I feel privileged to have been able to work with Congressman PAYNE on a number of issues throughout the years. For me personally, within the Congressional Black Caucus, and for the Congress, he was a leader on all issues relating to the continent of Africa. He knew all of the leaders, and knew extraordinarily well the various countries' histories and domestic politics, and worked tirelessly throughout his tenure to resolve numerous deep seated conflicts on the continent, while leading many congressional delegations to war torn areas. Indeed, Congressman PAYNE always spoke out on behalf of people who struggled in many of the most difficult nations around the world: from Rwanda to Sudan and Haiti, to the peace process in Northern Ireland.

Congressman PAYNE will be deeply missed here in Washington. I will always remember his soft spoken manner, will power, drive, intelligence and energy. And as the first African-American to serve in the House of Representatives from the state of New Jersey, I am certain that he will serve as an inspiration for others to follow in his footsteps.

Ms. LEE of California. I would now like to yield to the gentlelady from the Virgin Islands, Congresswoman DONNA CHRISTENSEN.

Mrs. CHRISTENSEN. Thank you, Congresswoman LEE. And thank you, everyone who's come out to pay tribute to DONALD PAYNE this evening; and thank you, Father Conroy, for being here with us.

I recently had the opportunity to introduce DONALD at an annual gala of the Mountainside Marketing Group, where he was being honored with the 2011 Congressional Minority Business Award, and it was really an honor to do that.

I talked then about his commitment to Africa and how I always told DONALD I would never travel with him. You see, he was as comfortable, as you've heard, meeting rebels in the jungle as he was meeting Presidents and chiefs. State Department warnings meant nothing to him. You heard about his plane being shot at in Mogadishu, and he also did some jail time here at home for protests on behalf of the justice here and abroad.

Because of the high respect in which he was held by everyone on all sides, he was able to bring peace to warring factions, to broker truces, and to ease the pathway to democracy for many. And his legacy as a peacemaker was not limited to Africa. He's considered an honorary son of Ireland for his contributions there.

I talked that evening about his commitment to children. As a teacher, he used his senior position on Education and Labor to ensure that educational opportunities are available for all children, but especially poor and minority children. He worked hard to close the achievement gap, and was also a key player in legislation to reduce interest rates on college loans and to increase Pell Grants.

I was able to tell those gathered how working families had no stronger supporter of labor and worker protections than DONALD PAYNE.

Last year the Health Braintrust and all of our partners honored DONALD with the Congressional Leadership Award.

I had the honor also of traveling to Newark every other year to the Donald Payne health summits and health fairs. He was just as determined that the people in his district have access to quality health care as he was committed to their education and economic opportunity. It was always an event that was looked forward to and attended by thousands who were then connected to the health care system, some for the very first time.

But his commitment to health extended beyond his district to our entire country, to Africa and the Caribbean. He made sure that global health was added to the responsibility of the Subcommittee on Africa, which he chaired.

He led the effort to increase PEPFAR funding more than threefold. When President Bush signaled his willingness to go from 15 to 30 billion over 5 years, DONALD took that as an opening to push for even more and, with BARBARA LEE and others, parlayed that to $48 billion. He also led in ensuring that, for the first time, all the countries in the Caribbean would be included.

So it's no surprise that condolences are pouring in from all over the world, and I want to submit one from Dr. Claire Nelson on behalf of the Institute of Caribbean Studies.

There were only a few of us that knew that DONALD was diagnosed with cancer and undergoing treatment. He was truly amazing. I thought he was even more feisty after his diagnosis than before. He would add his humorous commentary even more often at our meetings. He teased many of us mercilessly.

He led the Congressional Black Caucus Foundation with boundless energy which, of course, all of us on the board and the staff had to try to keep up with.

□ 1810

His most recent boat ride, of which he takes pictures with everyone who comes, was lots of fun as always; and he thoroughly enjoyed every minute of it, as all of us did.

His work in this body, of course, never faltered, and I think he would have been a more formidable adversary or advocate, as the case might have been.

But above all, DONALD was a dear friend.

In the end, he succumbed to the cancer, but up until the very last, he lived his life to the fullest. The people of the U.S. Virgin Islands, and he visited us several times, my family and staff join me in extending our heartfelt sympathy to his family: his children Donald, Jr., Wanda, and Nicole; his four grandchildren and his great grandchild; his brother, Bill, and sister Kathryn; Laverne, and all of his staff, past and present here and in the district; and the people of the 10th District of New Jersey.

DONALD was not only a respected member of the Congressional Black Caucus, which he chaired. He was loved by all of us. We will miss him terribly, but we will remember him with such great affection and consider ourselves blessed to have known him, to have served with him, and to have him call us his friend.

So long, DONALD. Rest in peace. Until we meet again.

MARCH 6, 2012.

DEAR FRIENDS: ''Every once in a while a GIANT walks the earth.''

Over the past several years, I was privileged, to have worked with Congressman Payne who was tireless in his support for the Caribbean, as well as Africa. I remember well the first time I moderated a Task Force at the CBC Annual Legislative Caucus, that he

was Co-Chair of. He was so gracious, with my anxiety about following the appropriate protocol. As Chair of the Bi-partisan Caribbean Caucus, he led the way for us to have our voice heard and helped us to understand how we as Caribbean Americans may better impact the Congress he loved and served so well.

On behalf of the Caribbean American community, ICS will offer condolences to his family and friends as the arrangements become known to us . . . by way of our Advisors who were his personal friends.

In the meantime, I offer my prayers of thanksgiving for his life and legacy and my prayers of comfort to those he loved best. May he rest in peace.

DR. CLAIRE NELSON,
President of the Institute of Caribbean Studies.

Ms. LEE of California. I would like to yield now to the gentleman from Indiana, Congressman ANDRÉ CARSON.

Mr. CARSON of Indiana. Madam Speaker, from my first days in Congress, I always considered DONALD PAYNE to be a mentor and a friend. He took me and others under his wing and showed us what it truly means to be a Member of Congress, not just a politician. He showed me, like he showed so many of us in this Chamber, how much more we accomplish through humility and cooperation than through bravado and partisanship.

He was brilliant, and he put thought into every word he said; and because of that, Madam Speaker, his words carried weight on both sides of the aisle and in both Chambers.

Most recently, I was privileged to serve under his leadership on the board of the Congressional Black Caucus, and I was able to see up close how he brought together the diverse personalities and opinions of the caucus in order to achieve a greater purpose.

Congressman PAYNE made our caucus strong and united; and while we attempt to fill the gap he leaves behind, I know we will never have another leader like DONALD PAYNE.

Madam Speaker, learning to serve in the House is truly an honor, but it also comes with many challenges. As a young Member, I am continuing to grow and find my place amongst my distinguished colleagues; but I feel just a little more confident, and I felt a little more confident because I had a role model in DONALD PAYNE.

As long as I am given the privilege to serve in this great House, I look forward to carrying that legacy, the one that he started—to fight for the underprivileged, to bring attention to the critical issues that don't make the front page, Madam Speaker.

I want to extend my deepest sympathies to his family and staff, and they know like I do how great a Member and how great a man he was.

I'm reminded of a passage of a conversation that Jesus had with his disciples in the Book of Matthew, and they were dealing with this notion of leadership; and Jesus said very succinctly and very clearly and very wisely, and prophetically to them, when he said: ''He who wishes to be chief among you shall first be your servant.'' Let us remember and honor DONALD PAYNE, a true public servant.

Ms. LEE of California. I would like to yield to the gentleman Oregon, Congressman BLUMENAUER.

Mr. BLUMENAUER. Today we mourn the loss of a colleague and friend. Newark lost its champion. Africa lost its informal ambassador, as DONALD PAYNE exercised tremendous leadership and influence as a senior member and chair of the African Subcommittee.

But with the passing of DONALD PAYNE, I think it's important to note one other loss, because for millions of people around the world who never knew DON PAYNE, they lost a hero. DON knew that almost a billion of the world's poorest people lacked access to clean drinking water, that almost three times that number lacked access to sanitation resulting in the death every 15 seconds of a child needlessly to waterborne disease.

One of the great privileges of my career in the House was working with DON PAYNE on the Paul Simon Water for the Poor Act. DON PAYNE was a quiet Member of Congress, but he knew what was important. He was clear in expressing those needs, expressing what needed to be done; and his leadership, his work behind the scenes, as well as on the front lines, made it possible for the first time in our history for the United States to have a cohesive policy towards meeting the unmet needs of water and sanitation for these poor people, to set a very clear objective that within the next 4 years we would cut in half the number of people who lack access to this fundamental.

Because of the leadership of Congressman DONALD PAYNE, literally millions of lives have been touched, improved, indeed, saved.

We thank you, Congressman PAYNE, for your leadership and influence that extended far beyond your district in New Jersey, and we thank his family and constituents for sharing him with us and sending him back repeatedly so that he could do his important work.

Ms. LEE of California. I would now like to yield to the gentleman from Georgia, Congressman SCOTT.

Mr. DAVID SCOTT of Georgia. Thank you very much, Ms. LEE.

This is indeed a very sad and, at the same time, a very precious time because we're here to talk about a life.

A life is so precious. DONALD PAYNE was indeed a very special human being. I served with DONALD PAYNE on the Foreign Affairs Committee; and through his work on the Foreign Affairs Committee, I got to know him.

Let me just say to the people of New Jersey, to his family, you've lost a friend, you've lost a husband, a father, a public servant for the Newark area of New Jersey.

But I want you to know that DONALD PAYNE's life and his legacy go far beyond there.

There was a friend of mine who said, I don't want to hang around the shores with the little boats. I want to go way out where the big ships go. DONALD PAYNE went way out where the big ships go. Nowhere was his impact more meaningful than in the continent of Africa. It was Africa that just pulled his heart, pulled his whole being. DONALD PAYNE became the champion and the foremost advocate for the people of Africa in the Congress of the United States.

What courage.

I remember the time I was over in Africa going to the Congo, going to the real heart of the matter, going into Kenya, and going into Somalia into Yemen. But there was DONALD PAYNE with the courage at a very difficult time, at a challenging time when al-Shabab was in control of the situation in Somalia. You hear on the news that there is a Congressman who's in harm's way trying to get on an airplane to get out of Somalia at a very hot moment. But he was there in the toughest, meanest, most difficult part of Africa bringing some reason.

□ 1820

So all over this world, we can all say that we thank God for sending DONALD PAYNE our way.

Ms. LEE of California. Madam Speaker, how much time do I have remaining?

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

Ms. LEE of California. Madam Speaker, may we request an additional 10 minutes?

The SPEAKER pro tempore. The Chair cannot entertain that request.

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

Mr. MEEKS. Madam Speaker, I am here this evening to thank God for the life of DONALD PAYNE—to thank God for a man who was focused, for a man who was a trailblazer, for a man who when he came to Congress knew what he wanted to do. People sometimes do not know what their purposes are in life. Sometimes folks get here, and they wander all of their lives to find that purpose. DONALD PAYNE knew what his purpose was. He fought and was determined to get to this House of Representatives so that he could make a difference in so many lives.

Once he came here, he never changed his focus, and he never changed his purpose. He knew that he wanted to deal on the international scale. He knew he wanted to take care of the people of Newark, and he knew he was focused on education. So when he had the opportunity to go on the powerful Appropriations Committee, he was so focused on what his mission was that he said ''no'' to Appropriations and stayed on Foreign Affairs and stayed on Education because that is what he wanted to do.

He paved the way for someone like me so that, when I came to Congress, I looked to him. It wasn't popular to be on Foreign Affairs when DONALD came.

DONALD did what he knew his purpose was.

So I want to just say, thank you, DONALD PAYNE. Thank you for your work and for your mission and for paving the way for someone like me so that I now don't have to have a machete to cut away the grass. You've done it for us.

Thank you, staff. Thank you, family.

Thank You, God, for sending us DONALD PAYNE. I can see You now just saying to him, Well done. Job well done, my good and faithful son.

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

Ms. MCCOLLUM. Someone was saying today that you remember your first and your last time.

The first time I met DONALD PAYNE was in my first term on the Education and the Workforce Committee. We were talking about the inequities in college funding for minorities, and they were talking about the Hispanic higher education institutions and about historical black colleges.

I spoke up, and I said, What about the tribal colleges?

Mr. PAYNE said, And we will never forget the tribal colleges again when we list off all of our colleges that serve our minority youth.

And he never did, so I thank him for that.

The last time—and it's fitting that Congresswoman WOOLSEY is on the floor with me—was at the State of the Union address. Usually, DONALD sat on this side. LYNN and I had the privilege of keeping him warm that night. So, with that, here are my remarks.

Today, the U.S. House of Representatives and the American people lost a statesman and a dedicated leader committed to human rights, quality education and social justice at home and around the world. It was my honor to serve with DONALD PAYNE on the Africa Subcommittee, as well as on the Education and the Workforce Committee. I will always remember DONALD as a friend and as a gentleman, a kind soul who spoke with authority and who legislated on behalf of those who were often too voiceless.

My deepest condolences to DONALD's family, to his staff, to his New Jersey constituents, and to people all over the world.

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

Mr. BISHOP of Georgia. Madam Speaker, all the world is a stage, and all the men and women merely players. Each has his entrance and his exit. One man in this time may play many parts. So it is with DONALD PAYNE.

He was a son, a brother, a husband, a father, a grandfather, a great grandfather, a teacher, a coach, a mentor, a leader. He led the CBC. He led the Congressional Black Caucus Foundation, and he was a friend. He was an extraordinary legislator. He represented the people of Newark, New Jersey, very well.

But one thing that I learned about DONALD from personal conversations was that he was truly a family man, that he loved his family. He spoke with love about the sacrifices that he made upon the untimely death of his wife, about how he had young children. He determined that he was going to take care of those children himself, not farm them out to other family members. So he sacrificed—he did the PTAs; he did the hair; he did all of the things so that his children would have a good life. It seems that DONALD's early life was difficult, and he was determined that his children would not have the difficulties that he had.

DONALD was a great man. We have lost him. The family has lost a great man. We feel your pain; but the joy we share because we knew him will sustain us because we were blessed to know, love, be a part, and to share the life, as you did, with this great, great man. He was a friend. We will miss him as you will.

Our thoughts and prayers are with you.

Mr. DREIER. Madam Speaker, I am deeply saddened by the loss of my dear friend and esteemed colleague, DON PAYNE. I was privileged to serve with DON for more than two decades. I always had enormous respect for his passion, dedication and encyclopedic knowledge of a range of foreign policy issues, particularly the 54 nations of Africa. He was one of the founding Members of the House Democracy Partnership, a commission that benefited tremendously from his expertise and commitment.

In November DON and I had the opportunity to travel together throughout Eastern and Central Europe to commemorate the post-Soviet transition to democracy of several nations. He endured with good spirits a number of speeches honoring Ronald Reagan, never failing to remind me that John F. Kennedy was the world's leading champion of democracy long before Reagan's presidency. We continued on to Egypt, where DON and I served as international witnesses in the first round of parliamentary elections. His enthusiasm and energy never flagged as he spent two long days traveling from poll to poll in Egypt's first true election in 7,000 years.

As DON always exemplified, our endeavor to protect human rights, promote the rule of law, create economic prosperity and eradicate violent extremism through the building of democratic institutions is a thoroughly bipartisan one. He will be greatly missed by all who were privileged to know him.

Mr. HINOJOSA. Madam Speaker, I rise with great sadness to pay tribute to and honor the life of Representative DONALD PAYNE, an esteemed colleague and devoted public servant.

Committed to social and economic justice, Representative DONALD PAYNE spent his life helping the most vulnerable in America and abroad.

During my tenure in Congress, I had the pleasure of serving with Congressman DONALD PAYNE on the Education and Workforce Committee. As a former public school teacher, Congressman PAYNE understood the needs of students, parents, teachers, and educators and the value of a good education.

As a senior member of the Education and Workforce Committee, Representative PAYNE worked tirelessly to expand educational opportunity for disadvantaged children and youth, and to ensure that all children had access to a quality education.

Congressman DONALD PAYNE was a true champion for American workers and the middle class, always fighting to ensure that workers had safe working conditions and family-sustaining wages. In the area of Foreign Affairs, Congressman PAYNE was known around the globe for his outstanding leadership in promoting peace and democracy in Africa.

Representative DONALD PAYNE will be greatly missed in this chamber. My thoughts and prayers go out to his family, his staff, and the people of New Jersey.

Mr. LOBIONDO. Madam Speaker, I extend my deepest sympathy to the family of Congressman DONALD PAYNE, who served New Jersey with distinction and honor for more than two decades. His leadership was welcomed and respected at home and in the Congress. His passion for civil rights and stewardship of the Congressional Black Caucus will always be remembered. My thoughts and prayers go out to the Payne family and the residents of the 10th district who lost a champion of their interests.

Ms. FUDGE. Madam Speaker, on March 6, 2012, Congressman DONALD PAYNE of New Jersey passed away due to complications from colon cancer. Today, along with my colleagues in the U.S. House of Representatives, I pay tribute to the memory of Congressman PAYNE. While today marks the end of his work on earth, the results of his labor will live on for many years to come.

In 1988, DONALD PAYNE became New Jersey's first African American to be elected to the U.S. Congress. As a public school teacher, the first African American President of the National YMCA and most recently as a Member of Congress for over two decades, DONALD was a tireless advocate for children, working families and senior citizens. He was a leader and a role model, who dedicated his life to, among other things, closing the achievement gap, providing equitable funding for public schools and making healthcare more affordable. In the 112th Congress, he was a senior member of the House Committee on Education and the Workforce. He was a key player in the passage of the College Cost Reduction and Access Act, which cuts interest rates on Stafford loans in half, increases Pell Grants and provides loan forgiveness to public service employees with student loan debt. DONALD was also a senior member of the House Committee on Foreign Affairs, most recently serving as the highest ranked Democrat on the Subcommittee on Africa, Global Health, and Human Rights.

DONALD will always be remembered as a champion for human rights and a strong advocate for humanitarian aid for developing countries, especially African countries. Beyond his work in Africa, he traveled throughout the world serving as a voice on issues impacting the social conditions of the global community. He was a former Chairman of the Congressional Black Caucus and, most recently, served as Chairman of the Congressional Black Caucus Foundation, Inc. The absence of his passion, leadership and compassion will not go unnoticed. He will be greatly missed.

I was blessed to count DONALD as a colleague, and as a dear friend and mentor. I will always treasure his support and guidance during the past few years. My heartfelt prayers

are with his family, staff, and constituents. May the thoughts and prayers of many give solace to his family and friends during this trying time.

Mr. RANGEL. Madam Speaker, I cannot fully express my sadness over the death of my dearest friend and Congressional Black Caucus Colleague Congressman DONALD PAYNE. Today his constituents in New Jersey's 10th Congressional District, our Colleague in Congress, people across America and around the globe mourn the loss of a great man, leader and humanitarian. DONALD was a champion of the lesser among us who saw wrong and fought tirelessly to make it right.

DONALD sought to give every child a quality education and a fair chance at success no matter where they came from. For over 23 years in Congress, as former Chairman of the Congressional Black Caucus, and Member of the House Committee on Education, he advocated for low-income students across our nation. Moreover, as a Member of the Committee on Foreign Affairs, DONALD worked passionately to restore democracy and human rights in Africa and throughout the world. DONALD and I shared a vision in giving Americans from all walks of life the opportunity to serve and represent our nation abroad. His most recent accomplishment before he passed was the creation of USAID's Donald Payne Development Fellowship Program. Thanks to DONALD's efforts young Americans will have the opportunity to continue DONALD's legacy of promoting peace and compassion to the rest of world.

I will deeply miss my brother DONALD PAYNE whose kindness and commitment to humanity will forever be remembered. My deepest condolences go out to his family and loved ones.

Mr. BISHOP of Georgia. Madam Speaker, I come to the House Floor today to pay tribute to our beloved colleague, dear friend and one of our nation's preeminent humanitarian icons—the late Congressman DONALD PAYNE.

I first met Congressman PAYNE nearly two decades ago and I will always remember him as a kind, welcoming and intellectually gifted individual.

In serving in this distinguished body with Congressman PAYNE over the past few decades, I had the pleasure of seeing him excel in multiple rolls and often under challenging circumstances.

As a former Chairman of the Congressional Black Caucus and more recently Chairman of the Congressional Black Caucus Foundation, I observed firsthand his relentless and passionate advocacy on improving the standards of living for disadvantaged and disenfranchised communities of color all around the world.

And anyone who knew DONALD PAYNE well, knows that one of his biggest priorities was doing all he could to improve the educational standing of our nation's students and young scholars. As a former teacher, he understood better than most in this body, the insurmountable tasks that our educators have in simultaneously instructing and mentoring our future leaders.

He used his senior position on the U.S. House of Representatives Education and the Workforce Committee to aggressively advocate on behalf of America's children. He remained engaged in exploring ways that we could close our nation's educational achievement gap; provide equitable funding for public schools; and make college more affordable.

As the Ranking Member of the House of Representatives Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, he worked extensively to protect human rights and provide vital humanitarian assistance to developing countries throughout the African continent.

Madam Speaker, today the world has lost an uplifting and inspiring public figure and a remarkable human being. Those of us who were fortunate and blessed to have known and worked with DONALD PAYNE have lost a nurturing mentor and widely-admired colleague.

Congressman PAYNE once said, "There is a lot of dignity in being able to achieve things without having to create rapture." This quote speaks not only to the symbolism of DONALD's civil nature but to the substance of his lifelong mission of accomplishing good deeds through consensus rather than conflict.

Madam Speaker, I would ask that all my colleagues take time out of their schedules today to pay tribute to DONALD PAYNE for all that he did and all the good things that his legacy will continue to inspire us to do.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3606, JUMPSTART OUR BUSINESS STARTUPS ACT

Mr. SESSIONS (during the Special Order of Mr. ROE of Tennessee), from the Committee on Rules, submitted a privileged report (Rept. No. 112–409) on the resolution (H. Res. 572) providing for consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies, which was referred to the House Calendar and ordered to be printed.

CLEARING THE NAMES OF JOHN BROW AND BROOKS GRUBER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from North Carolina (Mr. JONES) is recognized for 30 minutes.

Mr. JONES. Madam Speaker, thank you very much.

I was elected in 1995. Shortly after being sworn in, I was appointed to the Armed Services Committee. In my district of eastern North Carolina, we have Camp Lejeune Marine Base, Cherry Point Marine Corps Air Station, New River Marine Corps Air Station, and Seymour Johnson Air Force Base.

At the time, I was familiar with the Marine Corps' desire and need to have the MV–22 Osprey. The Osprey is the plane that can go from a helicopter mode to a plane mode. I realized it was at that time very controversial. In fact, Secretary of Defense Dick Cheney was opposed to the plane's ever becoming a reality, and as a Member of Congress I was very supportive. I was a new Member, obviously, and I was very much supportive.

Madam Speaker, I am just going to hold up for a moment what the Osprey looks like, which is the plane I was just describing. It is an unusual-looking bird, but the Marine Corps believes it's what it definitely needs to complete its mission of serving this great Nation.

On April 8 of the year 2000, a tragedy happened in Marana, Arizona. Colonel John Brow, who is to my left on this poster, was the pilot; and the copilot was Major Brooks Gruber. That night, 19 marines on a mission at Marana, Arizona, on Night Hawk 72, which was being piloted by Brow and copilot Gruber, flipped and crashed and burned, and 19 marines were killed. It was a very tragic, tragic happening, a very tragic night.

The wife of Major Brooks Gruber contacted me and asked me if I would please look into the fact that the Marine Corps had issued a press release, and I'm going to just touch on this very briefly.

The Marine Corps officials say that a combination of factors caused the Osprey accident. A report released by Marine Corps officials today confirmed that a combination of human factors—and that's a problem, Madam Speaker, those words "human factors"—caused the April 8 accident. General Jones replied: "Unfortunately, the pilots' drive to accomplish that mission appears to have been the fatal factor."

□ 1830

Madam Speaker, again, from Marine headquarters, they sent out this press release nationally and internationally. Therefore, people started believing that the pilots were somewhat responsible for the accident.

About a year later is when Connie Gruber contacted me, and I would like to read part of her email to me, December 10, 2002:

> I contacted you in hopes that leaders of integrity, free of bias, would have both the intelligence and the courage it takes to decide the facts for him or herself. If you do that, you will agree the "human factor/pilot error" findings should not stand as it is in military history. Again, I respectfully ask for your support. Please do not simply pass this matter along to General Jones without offering the support my husband and his comrades deserve. Please remember, these 19 marines can no longer speak for themselves.

Madam Speaker, that email from Connie Gruber started a 10-year journey. From that journey I continued to reach out to experts, which I am no expert, Madam Speaker, at all. But I had to believe the wife of Brooks Gruber that she and Trish Brow, the wife of the pilot, Major John Brow, that they told me that their husbands have the right to rest in peace.

So, Madam Speaker, from that I would like to read some comments. Rex Rivolo wrote me this in the effort of trying to clear the names of John Brow and Brooks Gruber:

> I write in an attempt to help correct a great injustice perpetrated on Lieutenant Colonel John Brow, United States Marine Corps, and Major Brooks Gruber, United States Marine Corps, in attributing the cause of the MV–22 mishap in Marana, Arizona, on April 8, 2000, to aircrew error. At the time of the mishap, I was the principal

analyst for the V–22 as a research staff member at the Institute For Defense Analyses, a nonprofit organization supporting the Department of Defense Office of Director of Operational Test and Evaluation.

Madam Speaker, another individual who's an expert that joined us in this effort to clear the names of John Brow and Brooks Gruber is Phil Coyle, and I want to quote what he put in an email to me on November 8, 2000:

> Major Gruber should not be blamed for flying his aircraft on a flight path that he was not trained to fly and expected to fly. The Marine Corps knows today that flight path was lethal, but they did not know it then, and neither did Major Gruber. Considering it was ignorance on the part of the Marine Corps that caused the April 8, 2000 accident, the Marine Corps should make it clear to Major Gruber's family—with no ifs, ands, or buts—that Major Gruber was not responsible for the accident.

Madam Speaker, I continue to go on, because this has been a 10-year effort for the families of John Brow and Brooks Gruber.

Madam Speaker, the Marine Corps, shortly after the accident, assigned three marines the day after the accident on April 8 to fly to Arizona and to do their own investigation for the United States Marine Corps. At the time, Colonel Mike Morgan was the lead investigator, assisted by Colonel Ron Radich and also Major Phil Stackhouse.

In the JAGMAN report that was the official report for the Marine Corps of the accident, on page 77 they stated:

> During this investigation we found nothing that we would characterize as negligence, deliberate pilot error, or maintenance/material failure.

Madam Speaker, in this 10-year journey to clear the names of these two Marine pilots, I reached out to the attorneys. John Brow and Brooks Gruber, their families employed Jim Furman, an attorney in Texas, who himself, was a helicopter pilot in Vietnam. He is an outstanding attorney, and he defended the two pilots when they went and filed suit against Bell Boeing.

In a letter on April 28, 2010, from Jim Furman to me in this effort to clear the names of John Brow and Brooks Gruber, he wrote:

> It was not the mission of the operation evaluation crew to discover the new boundaries and limitations associated with the V–22. Engineering test pilots, under appropriate test conditions, should have done this. It is simply wrong and improper to place this burden upon Gruber and Brow. They did the best job they could have done under the circumstances.
>
> Prior to the March 2000 crash, the Navy already had reports of strange asymmetric response in the aircraft. These events should have been completely investigated before any more operational testing continued.

Madam Speaker, I have over seven or eight emails that are two or three pages from Jim Furman in his effort to help us clear the names of Colonel John Brow and Major Brooks Gruber.

From the attorney for the 17 marines' families who were in the V–22 that crashed—and these young men were killed in that crash—Brian Alexander defended the 17 families, and he said:

> Please thank Congressman Jones for contacting me and assure him that I stand by ready to assist him in any way that I can. As a former Army aviator and lawyer who had the privilege of representing the marines who gave their lives in the Marana crash, I applaud the Congressman's efforts to clear the names of pilots Gruber and Brow from any and all blame for this senseless tragedy. Due to these undisputed reasons, the pilots are not to blame and should be fully exonerated.

Again, the two attorneys, Jim Furman in Texas and Brian Alexander in New York, they defended the families in the lawsuit that was settled out of court by Bell Boeing. Madam Speaker, I also would like to share for the Record—you might say, well, if the lawsuits are over, then why won't the Marine Corps give the families what they are looking for as a clear exoneration of John Brow and Brooks Gruber?

Madam Speaker, I can't answer that but recently, about 4 months ago, I had the pleasure of meeting with General Rutter, who was representing the Commandant, and he was asking what would help the wives bring this to an end, so to speak. There is no way you can replace the husbands and the 17 marines who were burned to death. So the wives gave me a paragraph that they would like for the Marine Corps to issue to them on Marine Corps stationery and also a press release, Madam Speaker, and it states:

> The United States Marine Corps concurs that pilots Lieutenant Colonel John Brow and Major Brooks Gruber were not at fault for the April 8, 2000, Osprey accident. The original accident report will officially include this statement of fact. A copy of the official statement will be formally presented to the Gruber and Brow families as written evidence to this fact. A press release and formal statement will also be publicly issued by military officials.

Madam Speaker, I don't know why the Marine Corps has not been willing to give the families this closure that they have asked for.

I just touched on a few of the letters of many people who were so familiar with the program and the V–22 in the early stages that have joined in this effort, so it is hard to understand why the Marine Corps will not give the families this one paragraph. Madam Speaker, I will continue to work and to speak out because that's the least that the Marine Corps can do for these families.

Let me also share that I reached out to the investigators, Major Morgan, Major Radich, and Major Stackhouse. Madam Speaker, they in July and August of this year sent me 2-page letters from each one of them stating clearly that if there is anything in the JAGMAN report that has been misunderstood, that they found it was pilot error, to please have it recanted because that's not what they wrote in the JAGMAN.

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Madam Speaker, I have a copy of the JAGMAN. I have read from one page what they said about the pilots on page 77 that nothing was done by the pilots in a deliberate way to cause the accident.

Madam Speaker, I'd like to read now just a couple of sentences from Lieutenant Colonel Mike Morgan's letter back to me. He again was the lead investigator that wrote the JAGMAN report. He said:

> John Brow and Brooks Gruber performed as model wingmen on this mission. They were doing exactly what was expected of a wingman on a tactical flight.

Lieutenant Colonel Morgan further stated:

> John Brow and Brooks Gruber did their job, and did it well. I look forward to the day when DOD officials accurately recognize the sacrifice made by them and all the marines of Nighthawk 72.

From Lieutenant Colonel Ron Radich, he was the assistant JAGMAN investigator:

> It would be morally wrong to place the blame on the pilots of Nighthawk 72. Prior to the mishap, control measures to mitigate the risk of vortex ring state were deficient. With no knowledge, training, or warning concerning the possible consequences of vortex ring state, the pilots of Nighthawk 72 were essentially on their own in uncharted territory.

Madam Speaker, what Colonel Radich is saying is that they were put into the cockpit flying this plane with 19 marines, counting the two pilots on this plane, and they had no idea of how to react to the condition known as vortex ring state, VRS. They had not been trained. The plane was not even prepared to warn them of such a happening.

And the third investigator, Madam Speaker, was Captain Phil Stackhouse and he said:

> I do not feel that our investigation reflects that the mishap was a result of pilot error and if this investigation was interpreted that way, it was misinterpreted. For any record that reflects the mishap was a result of pilot error, it should be corrected. For any publication that reflects the mishap was a result of pilot error, it should be corrected and recanted.

Madam Speaker, there cannot be stronger support for this change to make sure that the Marine Corps would issue a statement to the families and also issue to the families a paragraph that would clearly state that their husbands were not at fault.

Madam Speaker, some people might just say, Congressman, why have you spent 10 years trying to clear the names of two pilots that you never knew?

Well, Connie Gruber, the wife of Major Brooks Gruber, she does live in Jacksonville, North Carolina, and she and her a little girl, Brook, deserve to have this paragraph for the future of their family, to clearly state that the pilots were not at fault.

Trish Brow lives over in California, Maryland. John Brow was her husband,

and I have been with one of her sons, Michael, who was in my office a year ago in March when we talked about our strategy to clear the names of these two Marine pilots. I never will forget that Michael leaned up after we talked, about five adults, including his mom in there, and he leaned up and he said, May I say something? And we all said, Certainly, whatever you'd like to say. And he said, Will you please let me clear my father's name.

Madam Speaker, the ball is in the Marine Corps' court. All of the evidence and all of the experts have joined in this effort to clear the names of the two pilots. On these charts, you can see the faces of the two Marine pilots. Right immediately close to me is Colonel John Brow, the pilot; and beside him is Major Brooks Gruber, who was the copilot. I think about what I have said to the wives and to their sons and daughters: It's time that the Marine Corps salute Colonel John Brow and Major Brooks Gruber and say, Colonel and Major, you may rest in peace. Don't ever worry about your name again. We have done everything we can as the United States Marine Corps to make sure that the public knows that you two, pilot and copilot, were not at fault for that tragedy on April 8 of 2000.

Madam Speaker, just a couple more minutes and I will bring my comments to a close.

I had someone send to me a quote by Voltaire that says, ''To the living, we owe respect; to the dead, we owe the truth.'' And that's why I wanted to be on the floor tonight to share just a few comments by the experts, not by me. I am no expert. I'm just one man who believes what the wife said, Connie Gruber:

> My husband and John Brow cannot speak for themselves. Someone has to speak for these two men to clear their names.

The lawsuits are over. They were settled out of court. It was a closed settlement. Nobody knows the figures except the families. I've never heard a figure, so I have no idea. But I know one thing. When a firm as large as Bell-Boeing, which manufactured the V–22, when they settle out of court, they must feel some responsibility for the accident.

I hope and pray that soon the Marine Corps will close the chapter on the tragedy in the life of Trish Brow and Connie Gruber. The reason they want the letter, Madam Speaker, is so their children, 10, 15, 20 years from now, whenever there's another article written about the V–22 crash in Arizona in the year 2000 and they misstate that this was pilot error, that the families will have an official letter from the Commandant of the Marine Corps that will clearly state that John Brow and Brooks Gruber were not at fault.

Madam Speaker, I'm going to close in about 2 minutes.

I want to call on the United States Marine Corps to come forward and give the families what they are asking. The three investigators, as I said earlier, have joined in this. Jim Shaffer, Madam Speaker, who was in the air at the same time as this crash, he was flying a V–22 when the other two were flying and before Nighthawk 72 crashed. He was a friend of John Brow and Brooks Gruber. He has joined in this effort. He believes that the right thing to do, based on the circumstances of the time, that the right thing to do is to say that the two pilots were not at fault.

Madam Speaker, I want to thank you for staying a little bit later tonight to give me this time. I'm not going to take the full 30 minutes. There is a lot more I could say, but I think that I've done the first step of what is going to be many steps in coming to the floor and talking about these two pilots and their families until we get the letter from the Commandant that is just one paragraph that clearly states that Lieutenant Colonel John Brow, Major Brooks Gruber, pilot and copilot, were not at fault for the crash that happened on April 8, 2000, in Arizona.

So with that, Madam Speaker, I will ask God to please bless the families of these two pilots and the families of the 17 Marines who were in the back of the V–22 that crashed and 19 died, to bless those families as well. I will ask God to please touch the heart of the United States Marine Corps so that these two Marines can rest in peace.

Madam Speaker, with that, I yield back the balance of my time.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1710. An act to designate the United States courthouse located at 222 West 7th Avenue, Anchorage, Alaska, as the James M. Fitzgerald United States Courthouse.

ADJOURNMENT

Mr. JONES. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 48 minutes p.m.), under its previous order and pursuant to House Resolution 571, the House adjourned until tomorrow, Wednesday, March 7, 2012, at 10 a.m., for morning-hour debate, as a further mark of respect to the memory of the late Honorable DONALD M. PAYNE.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5181. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Captain Hugh D. Wetherald, United States Navy, to wear the authorized insignia of the grade of rear admiral (lower half); to the Committee on Armed Services.

5182. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Colonel Cedric T. Wins, United States Army, to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

5183. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Exceptions or Alternatives to Labeling Requirements for Products Held by the Strategic National Stockpile [Docket No.: FDA-2006-N-0364] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5184. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act [CMS-9992-F] (RIN: 0938-AQ74) received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5185. A letter from the Chief Operating Officer/President, Financing Corporation, transmitting a copy of the Financing Corporation's Statement on the System of Internal Controls and the 2011 Audited Financial Statements; to the Committee on Oversight and Government Reform.

5186. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (Operations) Limited Airplanes [Docket No.: FAA-2011-0908; Directorate Identifier 2010-NM-251-AD; Amendment 39-16870; AD 2011-24-06] (RIN: 2120-AA64) received February 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5187. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a statement of actions with respect to the GAO report entitled: ''NASA: Key Controls NASA Employs to Guide Use and Management of Funded Space Act Agreements are Generally Sufficient but Some Could Be Strengthened and Clarified''; to the Committee on Science, Space, and Technology.

5188. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, Engagement in Additional Work Activities and Expenditures for Other Benefits and Services, April-June 2011: A Temporary Assistance for Needy Families (TANF) Report to Congress; to the Committee on Ways and Means.

5189. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Application of Section 267 to Section 304 Transactions [Notice 2012-15] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5190. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Physical Inspection Pilot Program [Notice 2012-18] received February 13, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5191. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Department's final rule — Section 51 — Work Opportunity Tax Credit; Section 52 — Special Rules; Section 3111(e) — Credit for Employment of Qualified Veterans [Notice 2012-13] received February 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5192. A letter from the Inspector General, Department of Health and Human Services, transmitting Community Living Assistance Services and Supports Program: 2011 Report to Congress; jointly to the Committees on Energy and Commerce and Ways and Means.

5193. A letter from the Special Inspector General For Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) January 2012 Quarterly Report and Semiannual Report; jointly to the Committees on Foreign Affairs and Appropriations.

5194. A letter from the Assistant Attorney General, Department of Justice, transmitting fourth quarterly report of FY 2011 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

5195. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Report to Congress: Under the Temporary Payroll Tax Cut Continuation Act of 2011 Section 501(b)(2) Concerning the Presidential Permit Application of the Proposed Keystone XL Pipeline; jointly to the Committees on Transportation and Infrastructure, Foreign Affairs, Energy and Commerce, and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. Supplemental report on H.R. 3606. A bill to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies (Rept. 112–406, Pt. 2). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. SESSIONS: Committee on Rules. House Resolution 572. Resolution providing for consideration of the bill (H.R. 3606) to increase American job creation and economic growth by improving access to the public capital markets for emerging growth companies (Rept. 112–409). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BACA:

H.R. 4144. A bill to amend the State Small Business Credit Initiative Act of 2010 to allow participating States to provide program funds to community development housing organizations for development of affordable housing; to the Committee on Financial Services.

By Mr. CHABOT:

H.R. 4145. A bill to reform the program for rental assistance under section 8 of the United States Housing Act of 1937, and for other purposes; to the Committee on Financial Services.

By Mr. ELLISON (for himself, Mr. PAULSEN, and Mr. WALZ of Minnesota):

H.R. 4146. A bill to authorize the Secretary of the Army to take actions to manage the threat of Asian carp traveling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN:

H.R. 4147. A bill to amend title XIX of the Social Security Act to provide States an option to cover a children's program of all-inclusive coordinated care (ChiPACC) under the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. PETRI:

H.R. 4148. A bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. SOUTHERLAND:

H.R. 4149. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H. Res. 571. A resolution expressing the condolences of the House of Representatives on the death of the Honorable Donald M. Payne, a Representative from the State of New Jersey; considered and agreed to.

By Ms. WOOLSEY (for herself, Ms. WASSERMAN SCHULTZ, Ms. MOORE, Mr. OLVER, Ms. BORDALLO, Ms. NORTON, Ms. MCCOLLUM, Mr. LEWIS of Georgia, Mr. LEVIN, Mr. RANGEL, Ms. RICHARDSON, Mr. VAN HOLLEN, Mr. CAPUANO, Mr. GRIJALVA, Mr. LANGEVIN, Mr. FARR, Ms. LORETTA SANCHEZ of California, Mr. HINCHEY, Ms. CLARKE of New York, Ms. SPEIER, Mr. REYES, Mr. KIND, Mrs. DAVIS of California, Ms. LEE of California, Mr. CARNAHAN, Ms. MATSUI, Mr. CONYERS, Mr. SIRES, and Ms. SCHAKOWSKY):

H. Res. 573. A resolution supporting the goals and ideals of National Women's History Month; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BACA:

H.R. 4144.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CHABOT:

H.R. 4145.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, Article I, Section 8, Clause 1 and The U.S. Constitution, Article I, Section 8, Clause 18: The Congress shall have power to provide for the general Welfare of the United States [and] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. ELLISON:

H.R. 4146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

Article I, Section 8, Clause 14 of the United States Constitution.

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MORAN:

H.R. 4147.

Congress has the power to enact this legislation pursuant to the following:

This legislation, which amends the Social Security Act, title XIX relating to the Medicaid program is authorized by Article 1, Section 8, Clause 1, which grants Congress authority regarding Defence [sic] and general Welfare of the United States; and Clause 3 regarding the regulation of commerce among the states.

By Mr. PETRI:

H.R. 4148.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. SOUTHERLAND:

H.R. 4149.

Congress has the power to enact this legislation pursuant to the following:

The Social Security Act has been upheld under the power to tax and spending under Article I Section 8, Clause 1 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. MCCOTTER.

H.R. 32: Mr. HINOJOSA, Mr. KISSELL, and Ms. BONAMICI.

H.R. 157: Mr. LUETKEMEYER and Mr. AMODEI.

H.R. 192: Ms. SLAUGHTER.

H.R. 303: Ms. BONAMICI, Mr. BERG, and Mr. AMODEI.

H.R. 333: Ms. HOCHUL and Ms. CHU.

H.R. 431: Mrs. LUMMIS.

H.R. 450: Mr. JONES, Mr. BENISHEK, and Mr. WALSH of Illinois.

H.R. 452: Mr. ADERHOLT and Mr. HASTINGS of Washington.

H.R. 469: Ms. NORTON and Mr. SMITH of Washington.

H.R. 578: Mr. BUCHANAN.

H.R. 854: Mr. RYAN of Ohio.

H.R. 870: Mr. ROTHMAN of New Jersey and Mr. BISHOP of Georgia.

H.R. 925: Mr. HINOJOSA.

H.R. 972: Mr. MANZULLO.

H.R. 1176: Mr. ISRAEL.

H.R. 1179: Ms. GRANGER.

H.R. 1190: Mr. PIERLUISI.

H.R. 1206: Mr. RIGELL, Mrs. BLACK, and Mr. YOUNG of Alaska.

H.R. 1236: Mr. COURTNEY.

H.R. 1265: Mr. BRALEY of Iowa, Mr. WEBSTER, Mr. GARY G. MILLER of California, and Mr. LUETKEMEYER.

H.R. 1267: Mr. SCHRADER.

H.R. 1288: Ms. HAHN, Mr. BACA, Mr. HONDA, Mr. DOYLE, Mr. BOSWELL, and Mr. LATTA.

H.R. 1443: Mr. MANZULLO.

H.R. 1488: Ms. BONAMICI.

H.R. 1505: Mr. GUTHRIE.

H.R. 1509: Ms. WASSERMAN SCHULTZ.

H.R. 1614: Mr. ALEXANDER.

H.R. 1639: Mr. BARTLETT.

H.R. 1681: Mr. CLARKE of Michigan and Ms. BONAMICI.

H.R. 1697: Mr. TIBERI, Mr. GIBBS, Ms. GRANGER, Mr. FARENTHOLD, and Mr. WOLF.

H.R. 1704: Ms. HAHN and Mr. PERLMUTTER.

H.R. 1718: Mrs. CAPPS.

H.R. 1738: Mr. CLARKE of Michigan and Mr. LEWIS of Georgia.

H.R. 1742: Mr. TOWNS, Mr. TIERNEY, Mr. JOHNSON of Georgia, Mr. LATHAM, and Mr. PLATTS.

H.R. 1746: Ms. ZOE LOFGREN of California.

H.R. 1760: Mrs. CAPPS.

H.R. 1802: Mr. FITZPATRICK.

H.R. 1903: Ms. CLARKE of New York and Mr. SIRES.

H.R. 1922: Mr. ROSS of Florida.

H.R. 1956: Mrs. MYRICK.

H.R. 1964: Mr. DUFFY.

H.R. 1971: Mr. KISSELL.

H.R. 2003: Mr. FILNER.
H.R. 2016: Mr. DOYLE, Ms. RICHARDSON, and Mr. CARNAHAN.
H. R. 2106: Ms. JACKSON LEE of Texas, Mr. DAVID SCOTT of Georgia, Mr. AL GREEN of Texas, Ms. WILSON of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2108: Mr. FORTENBERRY and Mr. SCHRADER.
H.R. 2139: Mr. GALLEGLY, Mr. GEORGE MILLER of California, and Mr. HARPER.
H.R. 2152: Mr. CAPUANO.
H.R. 2159: Ms. SPEIER and Mr. CHANDLER.
H.R. 2179: Mr. BILIRAKIS and Mr. JOHNSON of Ohio.
H.R. 2194: Ms. RICHARDSON.
H.R. 2245: Mr. BROOKS and Mr. ACKERMAN.
H.R. 2288: Mr. MCCOTTER.
H.R. 2324: Mr. REYES, Ms. BONAMICI, Ms. HIRONO, and Mrs. LOWEY.
H.R. 2412: Mr. DOYLE.
H.R. 2485: Mr. RIBBLE.
H.R. 2492: Mr. LATHAM.
H.R. 2502: Mr. PIERLUISI.
H.R. 2557: Mr. THOMPSON of California and Mr. ACKERMAN.
H.R. 2655: Mr. HEINRICH and Mr. TURNER of Ohio.
H.R. 2695: Mr. DOGGETT and Mr. MORAN.
H.R. 2696: Mr. DOGGETT, Mr. MCGOVERN, and Mr. MORAN.
H.R. 2738: Mr. KEATING.
H.R. 2805: Mr. CLARKE of Michigan.
H.R. 2834: Mr. HUNTER.
H.R. 2900: Mr. MANZULLO.
H.R. 2960: Mr. BENISHEK.
H.R. 3001: Mr. MURPHY of Connecticut, Mr. WEST, Mr. LIPINSKI, Mr. HARRIS, and Mr. WOLF.
H.R. 3059: Mr. CUMMINGS and Ms. HAHN.
H.R. 3151: Mrs. LOWEY, Ms. CLARKE of New York, Ms. WILSON of Florida, Mrs. CAPPS, Ms. RICHARDSON, and Mr. CONYERS.
H.R. 3164: Mr. SCHIFF and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3238: Mr. TIERNEY.
H.R. 3269: Mr. CHAFFETZ, Mr. SOUTHERLAND, Mr. ACKERMAN, Mr. SCHWEIKERT, and Mr. FRELINGHUYSEN.
H.R. 3283: Mr. CLAY.
H.R. 3288: Mr. AMODEI.
H.R. 3313: Mr. ELLISON.
H.R. 3337: Mr. FORBES.
H.R. 3359: Mr. GRIJALVA.
H.R. 3364: Mr. ALTMIRE.
H.R. 3368: Mr. TONKO.
H.R. 3423: Mrs. SCHMIDT, Mr. LARSEN of Washington, Mr. NEAL, Mr. STIVERS, Mr. DOGGETT, Mr. MARKEY, Mr. MCGOVERN, Ms. SPEIER, Mr. ROGERS of Alabama, Mr. NUNNELEE, and Mrs. CAPPS.
H.R. 3462: Mr. ELLISON.
H.R. 3485: Mr. RYAN of Ohio, Ms. RICHARDSON, Mr. FATTAH, Mr. DOYLE, Mr. SHERMAN, Mr. COURTNEY, and Mr. SCHIFF.
H.R. 3490: Ms. HIRONO.
H.R. 3510: Mr. COHEN, Mr. FARR, Mr. ROTHMAN of New Jersey, Mr. REED, and Mr. KLINE.
H.R. 3553: Mr. BLUMENAUER and Mr. BERMAN.
H.R. 3568: Mr. HINOJOSA.
H.R. 3594: Mr. JOHNSON of Ohio, Mr. HARRIS, and Mr. YOUNG of Alaska.
H.R. 3596: Mr. ALTMIRE, Mr. PERLMUTTER, Mr. ISRAEL, Mr. CUMMINGS, Ms. RICHARDSON, and Ms. HIRONO.
H.R. 3612: Mr. THORNBERRY.
H.R. 3635: Mr. DOGGETT, Ms. ROYBAL-ALLARD, and Mr. HONDA.
H.R. 3643: Mr. HEINRICH.
H.R. 3662: Mr. AMODEI, Mr. CANSECO, Mr. FARENTHOLD, and Mr. NUNNELEE.
H.R. 3667: Mr. BONNER.
H.R. 3697: Mr. BUCSHON.
H.R. 3737: Mr. RIBBLE.
H.R. 3767: Mr. JOHNSON of Ohio and Mr. PETERS.
H.R. 3783: Mr. CICILLINE, Mr. KELLY, Mr. MANZULLO, Mrs. BACHMANN, Mr. FALEOMAVAEGA, Mr. AUSTIN SCOTT of Georgia, Mr. RIVERA, and Mr. SHERMAN.
H.R. 3789: Ms. BONAMICI.
H.R. 3798: Mr. GEORGE MILLER of California, Mr. HINCHEY, Mr. BARTLETT, Mr. BILBRAY, and Mr. GUTIERREZ.
H.R. 3811: Mr. BARLETTA.
H.R. 3814: Mr. JOHNSON of Ohio.
H.R. 3826: Ms. BERKLEY and Ms. SCHAKOWSKY.
H.R. 3849: Mr. LANKFORD.
H.R. 3850: Mr. TIPTON and Ms. HERRERA BEUTLER.
H.R. 3851: Mr. SCHILLING, Mrs. ELLMERS, and Ms. HERRERA BEUTLER.
H.R. 3859: Mr. LATHAM.
H.R. 3863: Ms. BALDWIN.
H.R. 3877: Mr. KLINE.
H.R. 3893: Mr. SCHILLING, Mr. TIPTON, and Mrs. ELLMERS.
H.R. 3895: Mr. WALSH of Illinois.
H.R. 3974: Ms. BALDWIN.
H.R. 3980: Mr. SCHILLING.
H.R. 3984: Mr. GRIJALVA, Ms. BROWN of Florida, and Mr. WAXMAN.
H.R. 3987: Mr. GRAVES of Missouri, Mr. SCHILLING, Mr. HANNA, Mr. WEST, and Mr. CHABOT.
H.R. 4010: Mr. BUTTERFIELD, Mr. BRALEY of Iowa, and Mr. CROWLEY.
H.R. 4018: Mr. MARINO.
H.R. 4032: Mr. MORAN, Mr. CLAY, Mr. GRIJALVA, Mr. BISHOP of Georgia, and Mr. KISSELL.
H.R. 4036: Mr. LANKFORD.
H.R. 4040: Mr. TERRY.
H.R. 4070: Mr. ROSS of Florida and Mr. WEST.
H.R. 4081: Mr. SCHILLING.
H.R. 4105: Mrs. NOEM and Mr. WELCH.
H.R. 4121: Ms. CLARKE of New York.
H.R. 4123: Mr. SMITH of Washington, Mr. BECERRA, Mr. PASCRELL, Ms. LINDA T. SÁNCHEZ of California, and Mr. FARR.
H.R. 4132: Mr. BILBRAY.
H.R. 4141: Mr. CLEAVER, Mr. RUSH, Ms. LEE of California, Mr. CONYERS, Ms. CLARKE of New York, Mr. FALEOMAVAEGA, Mr. MEEKS, Mr. CONNOLLY of Virginia, Mr. SIRES, and Ms. WILSON of Florida.
H.J. Res. 47: Mr. SARBANES.
H.J. Res. 88: Mr. MURPHY of Connecticut.
H.J. Res. 103: Mr. SCOTT of South Carolina.
H.J. Res. 104: Mr. LUETKEMEYER, Mr. FLORES, and Mr. PENCE.
H. Con. Res. 87: Mr. JACKSON of Illinois.
H. Con. Res. 101: Mr. TIPTON.
H. Res. 16: Ms. ROS-LEHTINEN and Mr. MCGOVERN.
H. Res. 20: Mr. QUIGLEY.
H. Res. 474: Mr. KUCINICH and Mr. MCINTYRE.
H. Res. 478: Ms. SLAUGHTER.
H. Res. 568: Ms. SCHWARTZ, Mrs. LOWEY, Mr. WAXMAN, Mr. ENGEL, Mr. TOWNS, Mr. SCHIFF, Mr. ROTHMAN of New Jersey, Mr. LANCE, Mr. MARKEY, Mr. HOLT, Mr. PASCRELL, Mr. BISHOP of Georgia, Ms. BERKLEY, Mr. FINCHER, Mr. BURGESS, Mr. LANKFORD, Mr. WALBERG, Mrs. ROBY, Mr. COFFMAN of Colorado, Ms. DEGETTE, Mr. SHULER, Mr. GENE GREEN of Texas, Mr. WEST, Mr. OWENS, Mr. CRAVAACK, Mr. GALLEGLY, Mr. PRICE of Georgia, Mrs. ADAMS, Mr. CRITZ, Mr. ALTMIRE, Ms. HANABUSA, Mr. LOBIONDO, Mr. RIVERA, Mr. LARSON of Connecticut, Mr. COBLE, Mr. CAMP, Mr. SIRES, Mr. BURTON of Indiana, Mr. SCHOCK, Mr. HOLDEN, Mr. SCHWEIKERT, Mr. MICA, Mr. KINZINGER of Illinois, Mr. NUGENT, and Mr. MILLER of Florida.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative FINCHER, or a designee, to H.R. 3606, the Jumpstart Our Business Startups Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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. 3610: Mr. CLAY.
H.R. 3611: Mr. CLAY.