United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, THURSDAY, MAY 31, 2012 No. 80

# House of Representatives

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*May 31, 2012.*

I hereby appoint the Honorable DANIEL WEBSTER 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.

## HILL 303, KOREA—AUGUST 17, 1950

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

Mr. POE of Texas. Mr. Speaker, when the world is in trouble, when peoples throughout history are in need of help because of oppression, and they need freedom and liberty, those nations always call 911.

And who answers on the other end of that call? Throughout the history of this great Nation, America answers. We always answer the call when somebody is in trouble and they need help. And such an occurrence occurred in 1950.

In 1950, World War II was over with. The United States had downsized its military. Basically, we were unprepared for another war. But war picks its own opportunities.

What occurred in 1950 was that in the Korean Peninsula, North Korea, with the aid of the Chinese, invaded our ally South Korea. They went into the heartland of South Korea and, of course, South Korea called 911.

America answered. They called it a U.N. operation, but history shows that U.N. operations basically are American operations, where Americans go and fight those battles.

Our country also called it a conflict. Our own President, at that time, referred to it as a police action, but it was neither of those. It was a war. It was a war where Americans went and fought.

I want to tell you about one such action that occurred in the Korean War, Mr. Speaker. You may or may not have ever heard of Hill 303 in South Korea. The Americans, under the control and operation of the 2nd Battalion, 5th Cavalry Regiment of the 1st Cavalry Division, had the high ground on Hill 303. Approaching them were a superior number of North Korean communists coming to take that hill. The Americans were pushed off that hill, except for a small group of Americans who refused to leave.

Company G, a mortar company, and Company H stayed on the hill. Approaching troops—at first the Americans thought that these approaching troops were South Koreans coming to help them. But it turned out, of course, they were North Koreans. But they held their ground anyway, and they were overrun by the North Koreans.

And here's what happened after the Americans retook the hill. As they retook the hill, they found out that those members of Mortar Company G and Company H, those that had been captured, had their hands tied behind their backs, that they were put in a gully there in South Korea, unknown to anybody, and they were machine-gunned down. Forty of the 45 were murdered. The other five were able to survive, and some escaped.

This weekend, this Nation honored our war dead for all wars. And I want to thank a school in my district, Creekwood Middle School in Kingwood, Texas, for honoring and remembering those 40 Americans that were murdered on Hill 303 in 1950 when the Americans held that ground and were overrun by the North Koreans.

Creekwood Middle School has a history of honoring American history, especially in our wars. They did a history project not too many years ago on World War I. But with this project that they had on Saturday of last weekend, they honored these men, as they should have, that were murdered on Hill 303. They have a memorial there at Creekwood Middle School for them, probably the only memorial in the United States that honors those men at Hill 303 in Korea. There is one in South Korea, however.

One of the people that was present then and also present Monday on Memorial Day at the Houston National Cemetery was Donald Foisie. Donald Foisie, of Atascocita, Texas, is 80 years old. He got the Purple Heart that day because he was able to survive that onslaught of the North Koreans.

At this time, Mr. Speaker, I want to mention the names of the 40 members of the Army that were captured and murdered that day by the North Korean communists.

Pvt Leroy Abott; Pvt Leo W. Jacques; Pfc Leroy Bone; Pfc Richard Janhnke; Pvt Arthur W. Borst; Pfc Raymond J. Karaiseky; Sgt. Ray A. Briley; Pvt Herbert R. McKenzie; Pfc Benjamin Bristow; Pvt Milton J. Mlaskac.

Pvt Billie J. Causey; Pvt Houston Monfort; Pvt John W. Collins; Pvt Melvin W. Morden; Pvt Johnny K. Dooley; 2Lt Cecil Newman, Jr.; Pvt Cecil C. Edwards; Pvt Robert J.



Printed on recycled paper.

O'Brien; Pfc Harlon Feltner; Pfc Brook T. Powell.

Pvt Richard T. Finnigan; Pvt Bruce A. Reams; Pvt Kenneth G. Fletke; Cpl Ernest Regney, Jr.; Pvt Arthur S. Garcia; Pfc Walter Schuman; Pvt Charles Hastings; Pvt George Semosky, Jr.; Pfc Antonio Hernandez; Pfc John W. Simmons.

Pvt Joseph M. Herndon; Cpl Glen L. Tangman; Pvt John J. Hilgerson, Jr.; Pfc Tony Tavares; Pvt Billy R. Hogan; Pvt William D. Trammel; Pvt Glenn E. Huffman; Cpl William M. Williams; Sgt Robert A. Humes; Cpl Siegfried S. Zimniuch.

Thirty-seven thousand Americans died in Korea. When the war was over, it just ended. There was no peace treaty. It just stopped. It's a cease-fire. We still have Americans at the 38th Parallel guarding that border.

When those troops came home 60 years ago, they were ignored. Unlike Vietnam—those veterans were abused. Those troops that came home from Korea were just basically ignored. America was more interested in Marilyn Monroe marrying the great baseball player, Joe DiMaggio, and this new rock star, Elvis Presley, than it was in honoring our Korean veterans and our war dead.

It's important that America always honor those that served and did not return, and those that served and returned, those that served and returned with the wounds of war. For, Mr. Speaker, the worst casualty of war is to be forgotten.

And that's just the way it is.

## TAXATION IS SERIOUS BUSINESS

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

Mr. BLUMENAUER. Mr. Speaker, taxation is serious business. How to pay for what America needs should be at the core of a thoughtful policy and political discussion. Unfortunately, going into a campaign ''silly season,'' it will be hard to have any thoughtful conversation.

Here on Capitol Hill, we've been trapped in a twilight zone for years, making a reasonable discussion for revenue extraordinarily difficult, if not impossible.

The simple fact is that we are an aging and growing Nation. Our tax collections in recent years have fallen due to a combination of the near economic collapse and the maddening slow economic recovery, which, together, with the series of tax cuts since 2001, have reduced total collections to levels not seen since Harry Truman was President. And they continue to lag.

As important as it is to do business differently, to rein in and reform defense spending, our bloated agricultural programs, and health care, the tax system itself must be addressed. More revenues are required to meet our needs, service the debt, and avoid more borrowing.

Most Americans understand this. While no one wants to pay higher taxes, the public understands and will support them, if done right: balanced, simple, and fair.

The worst tax is a tax on our future, the result of unsustainable spending and debt, coupled with tax cuts for people who don't need or deserve them.

The second worst tax is the complex mess we inflict on the public right now. The tax system has a compliance cost to taxpayers of over $160 billion a year for a system that is unfair and inefficient.

Now, there are only a few tax choices we should examine and discuss before we start arguing about the ultimate solution. We can only tax work, wealth, consumption, user fees, investment.

We can also tax what we don't like, the so-called sin taxes, like pollution or tobacco.

And finally, there are royalties for what, if anything, we get back when we give away public wealth like oil, gas, gold, and other valuable minerals. This is not an insignificant source of revenue, going not to some faceless government, but for the public. This is too seldom discussed in the context of paying for services or reducing the debt.

All seven have advantages and disadvantages, but we should be clear-eyed about them, especially this year, when we will be considering before December 31, what the CBO says will cost $5.4 trillion to extend all the expiring tax provisions for the next 10 years. This would be a good place to start in reforming the tax system and collecting badly needed revenue.

This should be done only after careful examination. Changes that we may want have to be done very carefully. They don't have to be done all at once or suddenly, because that can have unintended consequences.

□ 1010

There are some areas where we need to continue current policy. Something that should happen as soon as possible is to extend the production tax credit, which is one of those provisions due to expire at the end of the year. This modest subsidy has helped jump-start alternative energy, particularly for wind; and it could be a model on how to do it right for energy and economic growth. It doesn't have to be a permanent entitlement, but merely help the industry come to scale. But the threat that it won't be extended has already shut down new project development and has curtailed manufacturing in the United States. Bipartisan legislation could be passed next week overwhelmingly, and I hope it's something that we would consider.

Some areas need bold action, like the alternative minimum tax. This has been perverted into a grossly unfair tax on millions of American families and threatens tens of millions more. It will never be imposed. We will do everything we can to blunt its full effects. It should just be eliminated outright as part of this end-of-the-year process. Other provisions, like carried interest, where billionaire hedge fund managers get wildly favorable tax treatment on unbelievable wealth, cry out for reform.

Using the looming deadline to deal with the basics, we can phase in adjustments over the full 10-year period to be fair in transition, avoid dislocation and continue to nurture the still-fragile recovery; and if we start now, we will be able to make commitments, hopefully, that will be honored by both parties over the course of the next decade.

Done right, we can meet the revenue requirements for what America needs, simplify the system, reduce unfairness and complexity, and reduce cheating so that it is fair and more efficient.

## VETERANS OPPORTUNITY TO WORK ACT

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

Mr. WALBERG. This past Monday, we gathered together to honor America's fallen soldiers—the men and women who gave their lives sacrificially in exchange for our freedoms. Amid the Memorial Day parades and picnics, we reflected on their courage and their bravery to fight for these freedoms at any cost, including the ultimate cost.

We must never take for granted the privileges we enjoy because of their sacrifice, such as being able to worship where and how we want; that our media can share information without fear of censorship; and that we can freely vote for public officials without fear of punishment. Let us also remember the young men and women spread across the world who continue to fight for that freedom. To them, we also say thank you and pray for a safe and soon return.

But our commitment to the men and women who serve in our Armed Forces should not end when they return. Each year, thousands of new veterans return home, many to Michigan's Seventh District, still wearing the physical, mental, and emotional scars from their time in combat. I am fighting in Congress to make sure that veterans receive the highest-quality medical care that they have earned and deserve.

I also want to provide our Nation's heroes with the resources they need to settle back into civilian life, which is why I cosponsored the Veterans Opportunity to Work Act. Specifically, this legislative package, which became law last November, will smooth the transition for veterans from military service back into the job market through job counseling, training, and placement.

Too often, our troops return home, expecting to trade their fatigues and weapons for a suit or a hard hat, only to find out that the employment situation is a battlefield, to say the least, of a different kind. Millions of Americans are without work under the current administration's failed economic policies, with the unemployment numbers being considerably higher for veterans.

To me, there is no greater way to honor our Nation's servicemen and -women than by making sure they can get a job when they return. I've held a number of job fairs back in my district that have been tailored specifically to assisting veterans. At each and every event, experts are on hand to offer advice for how to effectively search for a job, write a resume and impress during an interview. Up to 50 vendors and local businesses, which would be honored to hire our Nation's heroes, attend these events.

Republicans have also put forth a plan for America's job creators built around small businesses, not Big Government. It includes reining in Federal regulations and out-of-control spending, which hold back small businesses; repealing the costly health care law; and tapping into the abundance of natural resources right in our own backyard. We are focused on long-term growth and not a short-term stimulus. Our veterans need jobs now and in the future.

Those who answer the call of duty from their country should not be overlooked when they return home. I remain committed to providing the best care and a strong economy for our Nation's heroes. It is the least we can do for those who have already given so much.

As always, may God bless and protect our troops and their families.

## BROADCAST EMERGENCY

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

Mr. DAVID SCOTT of Georgia. Tomorrow is June 1, and it marks the very start of the hurricane season in the United States.

First, I want to take a moment to thank our first responders—those police officers, those firefighters, those EMS personnel, and all of our emergency personnel—who risk their lives to save Americans' lives.

I also want to stand and thank and recognize another group of first responders, those who are our brave and talented—and at many times courageous—local broadcasters of television and radio and the journalists, many of whom are the first right after the first responders, sometimes before the first responders, bringing to the American people vital, life-saving information. So it is very important that as we begin this hurricane season that we take a moment and say a word for our local broadcasters of television and radio.

I know firsthand how important this is, for I represent a district in Georgia that had a devastating, history-making flood and storm situation in 2009. I represent Cobb County and Douglas County, which were two of the hardest-hit counties, along with Fulton County. We lost 10 lives. Seven of those lives that we lost were from one county alone, in Douglas County. Many of you might have seen the devastation at the Six Flags Over Georgia, which is an amusement park. It was completely under water. We lost over 500 businesses and homes in that area. Most importantly, we would have lost so much more if we had not had the timely, vital, life-saving information from our local radio and television broadcasters.

A broadcaster's commitment to public service is never more apparent than during a time of crisis. During an emergency, no other service can match the ability of broadcasters to deliver the comprehensive, up-to-date warnings and information affected by citizens. Just think, we have senior citizens, many of whom live alone, and their only contact with the outside world is that radio or that television letting them know what is coming and how to prepare for it. Television broadcasters reach millions of households across the country every day, and radio reaches more than 241 million Americans each week.

Yet, if we are to improve disaster preparedness in our Nation, we have got to make sure that local stations of television and radio have the necessary tools to continue to communicate with people and to communicate with each other in these times of crisis.

So as the 2012 hurricane season gets under way and as local communities continue to face erratic weather conditions, I know that every American feels safer in knowing that their local broadcasters are dedicated and committed to saving lives by providing critical news and information to our local communities. It is so important that we always remember that we must prepare for the storms before—before—the hurricanes are raging, and we thank our local broadcasters for helping us to prepare for the storms before the hurricanes are raging.

□ 1020

## AFGHANISTAN

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

Mr. JONES. Mr. Speaker, I wanted to come to the floor and say that I was very disappointed during the debate on the NDAA bill, the National Defense Authorization Act. We spent hours debating, and we only had 20 minutes to debate Afghanistan, with 10 minutes allotted to each side. Congresswoman LEE had her amendment, which I supported on the floor, but the amendment that Mr. MCGOVERN and I had worked together for weeks crafting, the McGovern-Jones amendment, basically said accountability on 2014, bringing our troops out.

We need to have these guidelines, and I was very disappointed that our leadership would not bring our amendment to the floor. I think it's tragic that our young men and women are dying in Afghanistan and Iraq and we're not meeting our constitutional responsibility when it comes to debating war.

Last Saturday, like many of my colleagues, I was invited to speak at a Memorial event down in Beaufort, North Carolina. Primarily those in attendance were our veterans of yesterday and some of our Active Duty marines of today. It was amazing. I'm not a great speaker, but when I talked about bringing our troops out of Afghanistan before 2014, I got a strong applause in agreement.

We have a tremendous responsibility to take care of our wounded from Afghanistan and Iraq. In this financial crisis, I truthfully don't know how we're going to take care of them, to be honest about it. What I do know is that we will deal with it. Yet we continue to spend $10 billion a month—it is borrowed money from the Chinese—to prop up Karzai in Afghanistan and to pay his bills, to fix his roads, to fix his water systems, but in America we can't fix our roads and our water systems. Somewhere along the way, Mr. Speaker, it doesn't make any sense to me at all.

Last Saturday, before I went down to Beaufort, North Carolina, to give the speech, the Raleigh News & Observer published 27 names of Americans who had been killed in Afghanistan. Mr. Speaker, to honor those 27 who gave their life to this country, I will submit those 27 names for the record.

Mr. Speaker, 2014 is a long way from 2012. How many more names must appear in the paper? Congress needs to have more debates about our policy in Afghanistan. We've got those in this country right now that want to go in and bomb Syria, bomb Iran, and do all these things, and yet we in Congress just sit by and pass more and more bills to pay for all this funding overseas that we can't even account for.

Mr. Speaker, before closing, I bring this poster of this young woman who is in tears holding a little baby in her lap. The baby has no idea why this man in uniform is on his knees presenting a flag to this little girl's mother. How many more scenes like this must happen while Congress sits by and passes more and more spending bills to take care of Afghanistan while we deny the American people? Senior citizens can't get sandwiches at the senior citizen center, children can't get a pint of milk before school because we're going to cut those programs, but we're going to take care of a corrupt leader in Afghanistan. Mr. Speaker, it makes no sense at all.

When we should have been debating Afghanistan a week ago, 72 percent of the American people in a poll that week said, Get out of Afghanistan now. We had 20 minutes, 10 to the Democratic side and 10 to the Republican side. That's no way to say thank you to those serving. That's no way to say thank you to the families who have given a loved one.

Mr. Speaker, in closing, as I always do, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq.

I ask God to bless the House and Senate, that we will do what is right in the eyes of God for God's people here in the United States of America.

And I ask God to bless President Obama, that he will do what is right in the eyes of God for God's people in America, today and tomorrow.

And three times I will say, God, please, God, please, God, please, continue to bless America.

RECENT U.S. MILITARY PERSONNEL DEATHS FROM DOD

Staff Sgt. Israel P. Nuanes; Sgt. Brian L. Walker; Pfc. Richard L. McNulty III; Spc. Alex Hernandez III; Sgt. Wade D. Wilson; 1st Lt. Alejo R. Thompson; Petty Officer Second Class Jorge Luis Velasquez; Sgt. Jacob M. Schwallie; Spc. Chase S. Marta; Pfc. Dustin D. Gross; Spc. Junot M. L. Cochilus; 2nd Lt. David E. Rylander; Staff Sgt. Thomas K. Fogarty; Sgt. John P. Huling; Master Sgt. Gregory L. Childs; Staff Sgt. Zachary H. Hargrove; Capt. Bruce K. Clark; Sgt. Nicholas M. Dickhut; Pfc. Christian R. Sannicolas; Master Sgt. Scott E. Pruitt; Staff Sgt. Andrew T. Brittonmihalo; Spc. Manuel J. Vasquez; Staff Sgt. Brandon F. Eggleston; Sgt. Dick A. Lee Jr.; Lt. Christopher E. Mosko; Spc. Moises J. Gonzalez; Spc. Jason K. Edens; Spc. Benjamin H. Neal.

## DON'T BE FOOLED BY PRENDA

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

Mr. QUIGLEY. Mr. Speaker, I rise today in strong opposition to the falsely named Prenatal Nondiscrimination Act, or PRENDA. This might be one of the most disingenuous bills to ever come to the floor of the House. The authors of this bill are talking out of both sides of their mouth. Today, I want to set the record straight.

In one breath, the proponents of this bill say they are protecting female fetuses by preventing abortions based on sex and that we must pass this bill to protect women everywhere and show that girls are as valid as boys. Yet, just last week, these same Members obstructed the passage of an expanded Violence Against Women Act that would have protected all victims of violence.

The same Members who today espouse equality for women voted against the Lilly Ledbetter Fair Pay Act, which will help combat the discrimination against women that keeps them earning 77 cents for every dollar that men earn.

The same Members who today talk about protecting female babies continue to vote to gut the Prevention and Public Health Fund, which will be used to provide lifesaving breast and cervical cancer screenings to millions of the very women PRENDA's proponents claim to care so much about.

Here's the truth: this is not about women's equality. PRENDA is simply another attempt by choice opponents to obstruct women's access to reproductive health care.

I agree with the bill's proponents that abortions based on sex are a problem around the world, and I agree that we must take action to stop these abusive practices both at home and around the world. But let me be clear that this bill will not prevent sex-selective abortions.

Here's why:

First, criminalizing such practices simply will not work. Banning sex-selective abortions has already been tried in various countries around the world, and what expert agencies such as the World Health Organization—which operate in these countries—have found is that these bans don't prevent abortions. Rather, they simply result ''in a greater demand for clandestine procedures which fall outside regulations, protocols, and monitoring and basic safety.'' These restrictions serve only to drive these procedures underground, making them less safe. Our own history proves this point;

Second, criminalization of sex-selective abortions would force physicians to question women about their reasons for seeking abortion. It would likely compel physicians to target certain groups of women from cultures where sex-selection abortion is more prevalent. To avoid liability, physicians may even cease providing such care to entire groups of women simply because of their race. This bill would promote racial profiling and discrimination;

Additionally, targeting such motivations in practice would be nearly impossible. According, to an analysis by the World Health Organization and four other U.N. agencies, ''prosecuting offenders is practically impossible.'' And, further, ''proving that a particular abortion was sex selective is equally difficult.''

These expert international organizations do offer a viable solution to address this issue, a solution unmentioned in H.R. 3541. Address the root causes which drive individuals to prefer sons over daughters. The United Nations, through its work in nations where sex selection is prevalent, has stated that the most effective way to address this son preference is by fighting the root economic, social, and cultural causes of sex inequality.

South Korea successfully lowered its male-to-female ratio from 116 boys for every 100 girls in the nineties to 107 boys per 100 girls in 2007. They did this by passing laws to improve the legal status of women and by implementing a public education campaign emphasizing the importance of women.

If we're going to consider this bill, let's be honest about it. Its supporters are not promoting women's equality, and they are not serious about preventing sex-selective abortions. If they were, they would be promoting programs to empower women and girls to combat son preference. Instead, they are criminalizing physicians, profiling cultural groups, and driving abortion services underground. The truth is that this bill is another attempt to restrict women's reproductive health care wrapped in the rhetoric of women's rights.

Don't be fooled by PRENDA. Vote ''no.''

□ 1030

## 25TH ANNIVERSARY OF MONTGOMERY GI BILL

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

Mr. HARPER. Mr. Speaker, I rise today to take note of the 25th anniversary of the Montgomery GI Bill on June 1, and to share with my colleagues that this landmark legislation continues to pay dividends in strengthening our all-volunteer military and providing far-reaching educational opportunities for so many Americans.

I'm also proud to note that the author of this GI Bill was G.V. ''Sonny'' Montgomery of Mississippi. He served the Third Congressional District from 1967–1997, the same congressional district that I'm so honored to represent today. Sonny was chairman of the House Veterans' Affairs Committee for 14 years and a senior Member of the House Armed Services Committee. He understood military and veterans issues and worked tirelessly in support of a strong national defense and the men and women who served our great Nation.

All across central Mississippi, one can find many tributes to Sonny. The VA Medical Center in Jackson bears his name, as does the G.V. ''Sonny'' Montgomery National Guard Complex in his hometown of Meridian, Mississippi.

Another facility that deserves mention is the G.V. ''Sonny'' Montgomery Center for America's Veterans at his alma mater, Mississippi State University. The professionals at the center have won national praise for their work in helping veterans, dependents, and family members transition from military life to the classroom, including administering benefits for the GI Bill. Their efforts enhanced Sonny's legacy as the champion for military and veterans causes. His 35-year background as a World War II veteran and Korean war veteran, and as a retired major general in the Mississippi National Guard, gave Sonny a unique perspective for the leadership role he played in Congress on national security and veterans issues.

The United States abolished the military draft in 1973, and by the late 1970s, the success of the all-volunteer force was in peril because the service branches had difficulty recruiting quality individuals. One high-ranking U.S. Army official referred to it as a ''hollow army'' and decried the need for help in crafting a plan to boost enlistments.

As chairman of the Veterans' Affairs Committee, Sonny recognized these needs and proposed a cost-effective education incentive that would be popular with college-age youth. Sonny's vision won high praise, with one admiral saying it ''reversed expectations of failure and planted the promise of success'' in our post-Vietnam era military.

One official at the U.S. Military Academy at West Point wrote:

> Transitioning to the all-volunteer force was the most important change the Army made since World War II. The Montgomery GI Bill was the policy vehicle that allowed this to happen.

I should also note that the law made National Guard and Reserve personnel eligible for educational benefits for the first time in history. It reflected Sonny's understanding of the importance of our reserve components and our national defense picture. The role of our Guard and Reserve today is even stronger, and I'm confident that the Montgomery GI Bill has been key to that success.

Over the past quarter century, more than 2.6 million veterans have used the Montgomery GI Bill. It has made a difference in the lives of the men and women who have pursued higher educational opportunities that otherwise might not have been available. It is also one of the foundations upon which our military continues to stand as the greatest military power in history.

## POVERTY AND FARM WORKERS

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

Ms. LEE of California. Mr. Speaker, as the cofounder of the Congressional Out of Poverty Caucus, I rise today to continue talking about the crisis of rising poverty devastating families in every single congressional district all across our country.

Mr. Speaker, I also rise today to recognize Linda Lee and Geraldine Matthew. These two extraordinary women are among a group of farmworkers who spent their lives working in the swampy fields bordering Lake Apopka in Florida. Their backbreaking work helped to provide the bulk of the winter season produce on the eastern seaboard.

In the early 1990s, a settlement was negotiated with the large farming corporations where 20,000 acres of land were sold for roughly $100 million. A negligible amount of 200,000 was allocated for the 2,500 farmworkers, and most were simply given pink slips, despite decades of service on the farm.

For years, these workers were exposed to a chemical mixture of carcinogens and other contaminants as planes crop-dusted the fields. Now these workers are suffering from an array of diseases that have been linked to long-term pesticide exposure. Their children suffer from defects cause by prenatal exposure to harmful contaminants.

These women have worked for over a decade to bring attention to their cause, while many of their former colleagues, unfortunately, have passed away. Although these women are desperately seeking some relief and good health, what they ask for more than anything else is their dignity. Dignity is the contribution of their community to feeding this Nation and the sacrifices they made in doing so.

I would, therefore, offer my profound and earnest gratitude to these incredible women, to their community, and to farmworkers across the country, for theirs truly are the hands that feed us. Mr. Speaker, now more than ever, we need to redouble our efforts to reward hard work. We must work to be sure that Americans who work all of their lives have something to show for it.

This does not just affect Linda Lee or Geraldine Matthew. We cannot ignore the fact that millions of Americans have seen their retirement savings decimated, their pensions short-changed, and their wages stagnant or falling.

Even in the face of a rising tide of poverty and an economy with high unemployment, the Tea Party-led Republicans continue their efforts to slash programs which protect the health and well-being of millions of low-income and working poor families.

In the coming weeks and months, we will begin to see the impact of the, quite frankly, immoral cuts to vital unemployment benefit extensions as thousands of people, thousands of people across our country who are struggling to find a job will be thrown off of unemployment benefits, thrown off, kicked off the rolls.

Some of them may be lucky enough to find work, but far too many will be suddenly cut off with nearly nothing, nothing to keep them from falling behind into poverty. They will have been left out and left behind.

We may disagree on how to help families in need and workers who are struggling find work access needed health services or feed their children, but we can all agree that leaving struggling families completely cut off of unemployment insurance with nowhere to turn for help is not the American way.

When Republican politicians protect tax cuts for millionaires, we must be very adamant about protecting the working poor. When Tea Party Republicans fight to protect tax writeoffs for corporations and Big Oil, we must fight to protect hardworking Americans.

When Republican Tea Party members continued to expend their energy protecting the dividend gains on investments, we must fight to protect Linda Lee and Geraldine Matthew, women who have worked their entire lives and are left with nothing to show for it.

Mr. Speaker, unfortunately there are some who continue to support policies for the 1 percent where profits, rather than people, matter. We need a jobs bill for those who are desperately in need of a job, and we need to help with their support for themselves and their families. So we do need a strong safety net to act as a bridge over these troubled economic times. It's critical to reaffirm that the needs and the aspirations of the poor and the working poor are really important and critical for us to address where they too are aspiring to be part of the middle class.

I want to thank Congresswoman JACKSON LEE for her support because I know she cares about Linda Lee and Geraldine Matthew and all of the issues that she continues to fight for.

## YUCCA MOUNTAIN

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

Mr. SHIMKUS. Mr. Speaker, I come back to the floor again—this is my 13th time, really—doing a tour of the United States highlighting the locations where we currently store high-level nuclear waste in this country.

□ 1040

With the end of this location, I will have placed in the RECORD the position of our U.S. Senators in each one of these States on where they stand on either keeping high-level nuclear waste in their State at their location or helping us move to a centralized repository at Yucca Mountain in the desert in Nevada.

So let's go to the location. Here's Yucca Mountain, which is, by law, the site, based upon the 1982 Nuclear Waste Policy Act and the amendments passed in 1987. So I'm comparing it to a place in Virginia very close by, the North Anna Nuclear Generating Station on North Anna Lake, which is a recreational lake that many people in Virginia know.

Yucca Mountain right now has currently no nuclear waste on site. What about North Anna? North Anna has 1,200 metric tons of uranium, spent nuclear fuel, on site.

If we had nuclear waste in Yucca Mountain, where would it be? It would be stored 1,000 feet underground. Where is the nuclear waste stored at North Anna? It's stored above the ground in pools and in casks.

If it was at Yucca Mountain, as designed by law, where would it be in comparison to the groundwater? Well, it would be a thousand feet above the water table because Yucca Mountain is in a desert. What about North Anna? Well, it is 53 feet above the groundwater. And as you can see from the photo, it's right next to a major lake in the Commonwealth of Virginia.

If the waste was at Yucca Mountain, how far would it be from the largest body of water in the area? It would be 100 miles from the Colorado River. Again, from the photo, you see that North Anna is right next to the lake.

So let's look at the Senators from the Commonwealth of Virginia, and in their time serving, what's their position on where the nuclear waste should be? Should it stay in the Commonwealth of Virginia or should it move to the desert underneath a mountain?

Well, let's start with Senator WEBB, who's not running for reelection. He's been in the Chamber now 5½ years. No stated position. It's kind of hard to believe you can be a U.S. Senator who has nuclear waste on site and does not have a stated position on whether you want nuclear waste stored right next to a recreational lake in your State or moved underneath a mountain in the desert. Senator WARNER came 2 years after Senator WEBB. He's been there 4 years. No stated position.

Why is this concerning? Well, we go to the total tally of our 100 U.S. Senators based on either votes taken in the Senate or public statements rendered, and this is what we have as of today. Remember, I've come to the floor 13 different times identifying nuclear waste storage facilities all around the country. Most of the time they're generating stations. Sometimes they're Department of Defense waste sites like Hanford, Washington, which is the first place that I talked about.

Based upon our tally, we have 55 votes for a high-level nuclear waste central repository at Yucca Mountain. We have 22 individuals—we noticed two today—who have never taken a position whether the high-level nuclear waste should be in their State, in their locality, or in the desert underneath a mountain. We also have 23 that have cast votes or made statements against that.

Now, why is this tally important? Well, it only takes 60 votes to move a piece of legislation in the U.S. Senate, cloture debate based upon a filibuster than a simple majority vote. So the question is: When will these 22 Senators at least make some position statement on the high-level nuclear waste repository?

Now, there are four other Senators that I've included in this—two from Alaska, two from Hawaii. They have no nuclear waste in their State. But Senator BEGICH from Alaska has no stated position. Senator MURKOWSKI voted for the high-level nuclear waste storage site. She's also from Alaska. Senator AKAKA voted ''no'' in a 2002 vote. Senator INOUYE voted ''no'' in a 2002 vote. So that finishes the culmination of all the Senators.

Based upon the problem in Japan with Fukushima Daiichi and the issue of high-level nuclear waste, isn't it about time we stop this administration's attack and move to Yucca Mountain?

## ISSUES FACING AMERICA TODAY

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

Ms. JACKSON LEE of Texas. Let me, first of all, say how pleased I am to have Benjamin with me, who is representing and advocating for the fairness and treatment of the foster care system and foster children as they mature into adulthood. This is an important aspect of democracy.

Mr. Speaker, I come this morning with a series of issues regarding rights. First of all, let me acknowledge that this was Memorial Day week, when I hope all of us were doing more commemorating than possibly celebrating with tasty food. I had the privilege of joining our community in a national Memorial Day celebration at the Houston Veterans Cemetery and then going to The Heights, a historic community, and commemorating the fallen soldiers at the World War II Monument in The Heights of the 18th Congressional District. On this past Saturday, I had a fun festival day of veterans and celebration commemorating the service of our soldiers—those who have fallen and those who live.

That's why I rise today to ask and encourage—even after the NATO meeting—that we have a quick resolution of the Afghan war. And I join my colleagues, Congresswoman BARBARA LEE and WALTER JONES, in their discussion this afternoon of what's next in Afghanistan. We thank those soldiers on the front line. None of our commentary to bring this war to an end has anything to do with their brave, wonderful, heroic acts of service and fighting for democracy and justice.

We ask President Karzai and his government to end its corruptness and to begin to transition so that the people of Afghanistan can live in peace. We want peace as well, and we want their rights to prevail.

Mr. Speaker, I now move to a tragic situation of huge proportions. I joined Syrian Americans on Tuesday in my community, standing in front of the Federal courthouse, crying out for peace and justice for the Syrian people. Alongside of me were Syrian Americans whose families were in Houla and Homs and had seen the brutality. We had projections of the violence against children and bodies wrapped in white cloth.

Mr. Speaker, we cry out and wonder why there cannot be more done by the world. Where is the outrage?

I congratulate the Secretary of State and the President of the United States and other Western countries and others who have expelled the Syrian envoys. Get them out now because, obviously, Dr. Assad does not recognize that people are valued.

And so I call upon the Arab League to put pressure on China and Russia. Let us not put our individual needs of energy—oil and gas, oil in particular—over the deadly violence that is going on in Syria. Shame on you.

I ask the U.N. Security Council that is now blocked by China and Russia to institute a U.N. Unity of Peace Resolution No. 377, which was done during the Korean War, where you go to the General Assembly and put forward recommendations that would engage or provide for peace and provide for the involvement of other countries providing for the assistance of the Syrian free army.

No, I'm not asking for war. I'm asking for the end of the violence in Syria. How can we stand by as we once stood by looking at Darfur, as we once stood by looking at Rwanda? How can we stand by?

I cry out for this Congress to issue sanctions. I cry out for actions.

Let me conclude by simply saying today we will have on the floor of the House a bill by the name of PRENDA. As I've heard from my colleagues, not one of us disagree with the idea of forced abortions, meaning that we do not disagree that that is heinous and horrific. I fear the PRENDA legislation because it is not thoughtful and has not been drafted in a way that distinguishes the rights of women in this Nation to have choice. And what it does, Mr. Speaker, is it criminalizes a doctor and criminalizes a relationship between a patient and a physician.

In this country, we have the right of choice. That choice is between a woman, her God, her faith, her family, and her physician. And what you do in PRENDA is that you taint and stigmatize the relationship between the doctor and the patient. Because how do you get in the mindset and the psyche of a physician who is doing his job providing the care that the woman has asked—her choice—and begin to demonize and suggest that she is forcibly deciding to abort because she is forcibly deciding what gender she wants?

Then, of course, you add insult to injury by profiling various countries. As my colleague has previously said, why can't we look for more positive ways of providing women's rights and discerning or educating people that women are equally valuable as human beings as men? But the PRENDA bill demonizes the patient-physician relationship. We cannot have that. I ask for a ''no'' vote.

□ 1050

## CONGRATULATING CAROL MARTIN GATTON ACADEMY OF MATHEMATICS AND SCIENCE

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

Mr. GUTHRIE. Mr. Speaker, I rise today to congratulate the Carol Martin Gatton Academy of Mathematics and Science for being named America's Best Public High School for 2012 by Newsweek magazine.

Each year, Newsweek publishes a ranking of the Nation's top 1,000 public high schools. Schools are judged on criteria such as percentage of graduates accepted to college, advanced placement and international baccalaureate test scores, and average SAT scores. Year after year, one quarter of the schools making the list are located near major metropolitan areas. However, I am proud to announce that this year's number one school, the Gatton Academy of Mathematics and Science, is in my hometown of Bowling Green, Kentucky.

I witnessed firsthand the Gatton Academy grow from a dream of a few

committed individuals into a reality. I was serving in the Kentucky senate back in 2004 when rumblings of the school first began. Named after renowned Kentucky entrepreneur Carol Martin ''Bill'' Gatton, the school first opened its doors in 2007 to a select group of 126 public high school students. Aside from meeting stringent admission criteria, today's Gatton Academy students embody a love and talent for science and math. Students there also share a common hunger for college-level academics, and that is exactly what they get at Gatton Academy.

Students are submerged in academics as they live and study in a residence hall built especially for them on Western Kentucky University's campus. Most classes are college level and are taken on the WKU campus alongside college undergrads.

At the Gatton Academy, students break the traditional high school mold, trading locker-filled hallways and 8 a.m. bells for access to college-level innovative technology and the study of DNA and alternative fuels. Students work regularly with their instructors on scientific research projects, and also take advantage of the school's study abroad programs. This past winter, several students had the opportunity to study in Western Europe and Costa Rica.

Students at the Gatton Academy graduate with more than just a high school diploma, as many students are well on their way to obtaining college and postgraduate degrees by the time they graduate high school.

The Gatton Academy is one of 16 residential public high schools in the Nation specializing in science, technology, engineering, and math—STEM subjects. In a world of increased global competitiveness, enhanced STEM education is critical if we want to remain one of the world's most technologically advanced nations. I applaud the faculty and staff at both the Gatton Academy and WKU for fully recognizing this and making a commitment to the education of the Commonwealth's best and brightest students.

Specifically, I would like to recognize the Gatton Academy's executive director and visionary for the academy, Dr. Julia Roberts, and director Dr. Tim Gott, and congratulate them on this recognition, which is a testament to their years of hard work. I would also like to congratulate and thank Dr. Gary Ransdell, the president of Western Kentucky University, for making WKU's partnership with the Gatton Academy possible.

Again, I offer my congratulations to the entire Gatton Academy community on this outstanding accomplishment. I look forward to following the future success of the Gatton Academy and its students.

## FOSTER YOUTH SHADOW DAY

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

Mr. LANGEVIN. Mr. Speaker, I am proud today to participate in the Foster Youth Shadow Day Program in honor of National Foster Youth Month. Many of my colleagues today have been paired with a foster youth to give them a firsthand glimpse of life in and around the Capitol. It is our goal to encourage them to nurture their innate talents, develop their leadership qualities, and even explore potential careers here in Washington. I would like to thank all of the cochairs of the Congressional Caucus of Foster Youth, of which I am proud to be a member, for planning this important event today.

I am also pleased to be paired with Dee Saint-Franc, a young woman who shows us all what determination and perseverance truly look like. Coming from a family that took in foster children, one of my priorities in Congress has been to ensure that this population has every opportunity to access and achieve success. Drawing on her personal experiences and leadership abilities, Dee has emerged as a strong advocate on this issue.

I have had the privilege of working with Dee on issues affecting youth in the foster care system, and I have deep respect for her commitment, courage, and capabilities. Among her many accomplishments, she has demonstrated tremendous passion and skill through her role as board cochair of The Voice and as Rhode Island's delegate to the New England Youth Coalition. She attained an associate's degree in business management from Johnson & Wales University, and works for the Rhode Island Foster Parents Association.

Dee came under the care of the Department of Children, Youth and Families at the age of 7 years old. She lived in group homes and with foster families, and, unfortunately, at some point along the way became a victim of identity theft. This issue of identity theft came to my attention a few years ago, and Dee's personal story, as well as the stories of numerous other foster youth brave enough to step forward, was crucial in passing legislation to deal with this problem.

I'm pleased to report that last year President Obama signed into law the Child and Family Services Improvement and Innovation Act, which contained a provision I authored to address identity theft in the foster care system. The measure requires States to provide foster youth ages 16 and older with a free copy of any consumer credit report pertaining to them while under State care, and to fix any problems if they are found so that when the child leaves State care, they do so with their identity and their credit intact. While this law would have protected Dee and others like her, she has nevertheless persevered and has done remarkable work with her peers in Rhode Island.

Moving forward, Congress needs to do its part to further support Dee's efforts to level the playing field for foster youth. I'm proud to support bipartisan legislation being introduced by caucus Members today to remove obstacles to ensuring that foster youth get the education that they deserve. We can all take simple steps to help them apply for State benefits and financial aid they need when they age out of the system, and I have introduced legislation for that very purpose.

Now at the age of 22, I am pleased to report that Dee is attending Rhode Island College, my alma mater, to pursue a bachelor's degree in social work. I'm also proud that Dee is working to give something back to her community, and wants to focus her academic career in the area for which she is uniquely qualified. She is a role model for her daughter and for all of us here today. And perhaps, Mr. Speaker, one day she will be down speaking on the House floor herself in the not-too-distant future. I thank everyone for their support of Foster Care Awareness Month.

## HONORING FORMER CONGRESSMAN WILLIAM WAMPLER

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

Mr. GRIFFITH of Virginia. Mr. Speaker, on behalf of myself, Representatives BOB GOODLATTE, and ROBERT HURT, I am deeply saddened to report the passing of a former Member of this body. On May 23, 2012, former Ninth District United States Congressman William Wampler passed away at his home in Bristol, Virginia. A man of principle, integrity, and courage, our Nation has truly lost a great man.

Born in Pennington Gap and raised in Bristol, Bill attended the Bristol public schools. The son of a hardware store businessman and a schoolteacher, Bill was a budding leader even in his youth. He was voted class president each of his 4 years at Virginia High School.

At the height of World War II in May of 1943, Bill, just 17 years old, enlisted in the United States Navy. For the next 27 months, Bill served as a seaman until the end of the war. Upon returning to southwest Virginia, Bill resumed his studies, pursuing his undergraduate degree from Virginia Polytechnic Institute in 1948 and then his law degree from the University of Virginia.

A Republican by birth, Bill joined the party his family supported because of its opposition to slavery. His first foray into politics came in 1948 while working as the Republican assistant campaign manager for the Ninth District congressional elections. Shortly thereafter, in 1953, at the ripe old age of 26, Bill was elected to the 83rd Congress. For the next 2 years, Bill had the distinction of being the youngest Member of Congress.

□ 1100

Though Bill spent nearly 20 years in office, one incident from the 83rd Congress stayed with him for the rest of his life. On May 1, 1954, four Puerto

Rican nationalists, apparently on a tour of this very congressional gallery, pulled out pistols and fired 41 rounds of ammunition at Members of Congress. When the shooting ceased, five Representatives were wounded in the attack. By an act of God, none were killed.

After a short period of time in the private sector, Bill returned to Congress in 1967. He went on to serve in seven succeeding Congresses until 1983. The ranking Republican member of the House Agriculture Committee, a member of the Committee on Aging and the Committee on Committees, Bill always considered it a great privilege to serve the people of the ''Fighting Ninth.'' Fondly known as ''The Bald Eagle of the Cumberlands,'' I assure you and the people of the Ninth District that his legend will never die.

Even though he was in failing health, I was greatly honored, when I was elected in 2010, to have Bill Wampler show up at our victory party in Bristol and hand me his No. 9 license plate as a part of his legacy. I hope that I can achieve the greatness that he achieved and have the abilities that he had. He was truly a great man.

His legacy and influence will long be remembered across the Ninth and throughout southwest Virginia. I am honored to pay tribute to Bill's many contributions to our community, our region, and our Nation. He was a friend and a courageous public servant. My thoughts and prayers go out to his wife, Lee; his children; friends; and loved ones. May God give them comfort during this difficult time.

## HEARING FROM A BRAVE AFGHANISTAN TRUTH-TELLER

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

Ms. WOOLSEY. Mr. Speaker, later today I will join a bipartisan group of Members at a panel discussion about the ongoing war in Afghanistan. Joining us as a special guest will be Lieutenant Colonel Daniel Davis, one Afghanistan veteran who has spoken the devastating truth about conditions on the ground.

During his second tour of duty in 2010 and 2011, he interviewed or interacted with 250 soldiers at all levels in several Afghan provinces. He also spoke with Afghan security officials and with civilians. He prepared both a classified and an unclassified report about what he saw and what he heard. Here is some of what he concluded in his own words, Mr. Speaker. He said:

> What I saw bore no resemblance to rosy official statements by U.S. military leaders.

He said:

> I witnessed the absence of success on virtually every level. I heard many stories of how insurgents controlled virtually every piece of land beyond eyeshot of a U.S. or international security assistance force base.

And he said:

> From time to time, I observed the Afghan security forces collude with the insurgency.

Davis tells us that one Afghan police captain actually laughed at him when Davis asked about how they responded to a Taliban attack. No, we don't go after them, said the captain. That would be dangerous.

One senior officer told Lieutenant Colonel Davis: How do I look a soldier's wife in the eye and tell her that her husband died for something meaningful?

Mr. Speaker, is that what we have to show for nearly 11 years of war and hundreds of millions of dollars of taxpayers' money? As we recognized Memorial Day on Monday and over the past weekend, don't we at least owe it to the war dead and their families to ensure that their sacrifice was for a worthy cause?

Lieutenant Colonel Davis did not have to come forward. Without a doubt, it would have been better for his military career to keep his head down and his mouth shut. But with the stakes so great and the costs so high, he felt that he had a greater obligation to the truth.

Lieutenant Colonel Davis' story must be heard. It needs to be heard because it balances the last 10 years at the Armed Services Committee and in various other briefings and forums where we've been exposed to nothing more than the official line on how this war is going. It's time we got firsthand experience and a firsthand version from someone who has seen the dysfunction of our Afghan policy at the ground level.

In February, a group of Members sent a letter to House leadership asking that Lieutenant Colonel Davis have the opportunity to testify at a formal hearing of a relevant committee of the House, but this invitation has not been extended to him. So, thanks to the leadership of my friends, Congresswoman BARBARA LEE and Congressman WALTER JONES, we will convene a panel later today to give Lieutenant Colonel Davis a chance to tell what he saw in Afghanistan.

I invite all Members of Congress to attend. It's at 2 p.m. at B–318, Rayburn. If you do, you will hear convincing and overwhelming evidence that this war is a colossal failure, and it's time, finally—after more than a decade—to bring our troops home.

## CANCER SURVIVOR BEAUTY AND SUPPORT DAY

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

Mr. DOLD. Mr. Speaker, I rise today to recognize Cancer Survivor Beauty and Support Day.

To my left here is a poster for Cancer Survivor Beauty and Support Day, which appears right now in hundreds of businesses all across our Nation and will be read by over a million survivors. This important day is observed on the first Tuesday in June, which falls this year on June 5. I am very pleased to help draw attention and raise awareness for this important day.

Mr. Speaker, there are nearly 12 million cancer survivors living in the United States, and each year that number continues to grow. In 2012, about 1.6 million new cases are expected to be diagnosed, and each individual will face challenges both during and after treatment. Each individual will need a tremendous amount of care and support.

Since its inception in 2003, Cancer Survivor Beauty and Support Day has helped bring warm support, comfort, and pride to survivors. This day is one of a kind, bringing together all cancer survivors in this country—men, women and children, regardless of their type of cancer or when they were diagnosed—with thousands of volunteer stylists, beauticians, barbers, and industry professionals who are looking to offer a little personal kindness to our Nation's cherished cancer survivors. These individuals have overcome so much and have shown us all the courage to fight on in the face of so many uncertain challenges. This day simply is an opportunity to provide relaxation and to connect survivors with one another and with caring volunteers.

Cancer Survivor Beauty and Support Day is the only event of its kind in our Nation, with complimentary services being offered to all survivors by salons, barbershops, day spas, and other beauty and massage therapy facilities. The event is nationwide, with support in literally all 50 States. It is also important to note that participation in this day is purely voluntary by these businesses, with no monetary solicitation or donations before, during, or after the event.

Support for this important day continues to grow, thanks to the hard work of so many good people and dedicated supporters. I'd like to especially recognize Barbara Paget, the founder and dynamic leader of this cause, for her hard work. It certainly would not be the event that it is today without her leadership.

In addition to the signs and flyers like this one we have right here, Mr. Speaker, all around the country, Stand Up To Cancer will reach over 1 million survivors on their Facebook page on June 5, 2012.

This day is very established and deserves recognition by this body. To this end, I have introduced House Resolution 494, a bipartisan resolution which expresses the support for designating the first Tuesday in each June as National Cancer Survivor and Beauty Support Day. I certainly urge all of my colleagues to recognize and jump on board this important resolution. But more importantly, I ask everyone to take a moment to recognize this day. Put something on your Web site. Urge survivors and volunteers in your districts to participate on this day, June 5, and honor the cancer survivors all across our Nation.

□ 1110

## ONGOING TROUBLES AT VETERANS AFFAIRS

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

Mrs. ADAMS. Mr. Speaker, I rise today to bring attention to the ongoing troubles at the VA and its apparent inability to effectively manage major construction projects, specifically, the new veterans hospital at the Veterans Affairs Medical Center in Orlando, Florida, in my congressional district.

Our Nation's veterans have served our country honorably, putting everything on the line to protect our freedoms. After all they have done for us, it is Congress' duty to ensure that our veterans' service-connected medical needs are taken care of.

The American people were told that for $665 million they would receive a state-of-the-art medical facility to care for the hundreds of thousands of veterans in central Florida, which is one of the most underserved veteran populations in this country. This project is desperately needed in our community. Our veterans cannot wait any longer, nor can hardworking taxpayers afford more expensive delays.

Recently, Chairman MILLER held a hearing with the Veterans' Affairs committee to examine these delays. During the hearing, it became clear that incompetence and a lack of leadership from the VA is to blame for the egregious amount of errors with this project. Those errors include forgetting to order medical equipment, designing incompatible power sources in patient rooms, and designing doorways too small for the equipment that needs to get through them. These basic design errors are absolutely unacceptable, and we must hold the VA accountable for them.

While I am not a member of the committee, I felt it was my duty, as the Representative for central Florida veterans, to participate in the hearings and conduct the oversight necessary to get answers and move the project forward.

Having toured the hospital construction site recently, I knew that the project was behind schedule and over budget. Listening to the hearing testimony, coupled with seeing the site firsthand, reinforced the fact that the VA has fallen down on the job and is failing our veterans.

Veterans in my district have to drive hundreds of miles in some cases to get the cure and the care they need and have been promised—they've been promised—in return for their service to our Nation. These are often elderly men and women who cannot afford the trips. And we have young veterans of the wars in Iraq and Afghanistan who have sustained injuries that make those long trips incredibly painful.

This is not the best we can offer; and we should be ashamed, in the VA, that those brave warriors have to travel long distances with the vague hope of getting the care they need. The VA can do better. We can do better.

Today's consideration of the Military Construction and Veterans Affairs Appropriations Bill helps put the VA's feet to the fire and will spur them to return the focus to our veteran population and not on bureaucratic mismanagement and political infighting.

The language of the bill makes it clear that, while the hospital construction remains fully funded, it is no longer an open-ended construction project with bills to be paid years into the future. The legislation states quite clearly that funds obligated to complete construction have to be spent within 5 years. The message should be heard loud and clear by the VA: get your management in gear and finish this hospital.

Mr. Speaker, the delays at this hospital are despicable, and the inability of the VA to provide what our veterans have been promised is unacceptable. Our veterans and their families have put everything on the line to defend our country. Making sure their service-connected needs are taken care of is the very least we can do to repay our Nation's heroes.

## 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 14 minutes 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

Rabbi Aaron Melman, Congregation Beth Shalom, Northbrook, Illinois, offered the following prayer:

We invoke the blessing of Almighty God upon the Members of this House.

Bless our leaders and all who work tirelessly for the good of our people with an understanding and discerning mind, a listening ear, a compassionate heart, and insightful thoughts.

Bless the people of the United States of America.

Help us to gain the insight to know what is good and true, for it is through Your spirit and love that we learn to become more human.

We thank You for enabling us to live in a free country, and we remember those who do not yet live with the same freedoms.

We pray that the leaders of our Nation help all those who are in need.

Shield our leaders and bless them. Protect our Armed Forces and speed our victory over tyranny. Let us make each day more meaningful, helping others move towards a life of peace.

May the words of our mouths and the meditations of our hearts be acceptable to You, O Lord, our rock and our redeemer.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. DOLD led the Pledge of Allegiance as follows:

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

## WELCOMING RABBI AARON MELMAN

The SPEAKER. Without objection, the gentleman from Illinois (Mr. DOLD) is recognized for 1 minute.

There was no objection.

Mr. DOLD. Mr. Speaker, I'm proud to welcome my friend, Rabbi Aaron Melman. Rabbi Melman has served the families at Congregation Beth Shalom in Northbrook, Illinois, for the past 9 years, where he works with children and adults to help them better develop their faith.

Previously, he studied and taught in New York City, where he served as a student chaplain to the New York City Fire Department. On September 12, 2001, he found a way to get to Ground Zero, and thereafter provided comfort and support to those first responders in need.

Rabbi Melman is devoted to helping others. He serves as the president of the Chicago Region of the Rabbinical Assembly; he provides valued education to families through his work as a board member for the Chicago Center for Jewish Genetic Disorders; and he continues to support firefighters by serving as the chaplain to the Northbrook Fire Department.

Mr. Speaker, I'm honored to call Rabbi Melman my friend.

I do want to also congratulate Rabbi Melman and his bride, Elisa, on their 13th wedding anniversary, which they celebrated last night. We certainly appreciate you joining us and celebrating that with us today.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GINGREY of Georgia). The Chair will entertain up to 15 further requests for 1-

minute speeches on each side of the aisle.

## ON THE AIR DURING HURRICANES

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

Mr. POE of Texas. Mr. Speaker, my congressional district in southeast Texas is right in Hurricane Alley. When Katrina, Rita, Humberto, Gustav, and Ike struck with all their fury, people were left in the dark with no Internet or cell service, but local TV and radio reporters were still on the air telling folks what they needed to know.

Hurricane Rita was the fourth most intense Atlantic hurricane ever recorded and the most intense hurricane ever observed in the Gulf of Mexico. The storm was devastating to our communities, but many folks were able to stay safe because they were tuned in to the news. Our broadcasters provide communities with vital lifesaving information before and after storms. They are the most reliable resource we have when disaster strikes.

Today, on the first day of hurricane season, we should thank all of our local first responders, police, and firefighters. But we should also thank all the broadcasters who do their part to keep us safe in southeast Texas when the storms come crashing ashore.

And that's just the way it is.

## PERPETUAL WAR FOR PERPETUAL PEACE

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

Mr. KUCINICH. Gore Vidal called it ''Perpetual War for Perpetual Peace.''

The administration's unrestricted use of drones has taken us into undeclared wars in Pakistan, Yemen, Somalia, Sudan, and who knows where else, destroying not only alleged militants, but making a direct hit on international law and the U.S. Constitution.

Drone strikes are killing militants now identified as males of fighting age. What are the rules? Trust us. What are the legal justifications? Trust us. Haven't 350 civilians been killed, innocents? Trust us, we're told.

No transparency, no accountability—until now, no Congress.

The Constitution requires Congress to weigh in and demand information and legal justification for drone strikes. That's in my letter to the administration. Drone strikes, absent a constitutional basis, sanctions the wholesale slaughter of innocents. One nation's drones over another nation's airspace is an act of war. With 50 nations exploring the development of drones—a $100 billion business—we cannot permit this Nation to further incite perpetual war for perpetual peace.

□ 1210

## THANKING RADIO BROADCASTERS

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

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to talk about the important work of our broadcast radio stations in emergency situations.

Back in March, a violent tornado ripped through a 49-mile stretch of my southern Indiana district. It leveled entire towns, did millions of dollars in damage, and took numerous lives. The death toll probably would have been higher were it not for the early warnings to seek shelter so many received by radio. In the aftermath of the storm, with no power or TV or Internet and virtually no cell service, radio instructed Hoosiers where to find first aid, food, and shelter.

So I'd like to thank our broadcasters today for the valuable service they provide. In the midst of chaotic situations, it is our Nation's radio broadcasters who provide needed direction.

## PROTECT MEDICARE

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

Mr. BACA. Mr. Speaker, after a lifetime of service to our Nation, America's seniors deserve a secure retirement, a strong Medicare and Social Security safety net. Sadly. The House Republicans are choosing to give tax breaks to millionaires and billionaires over paying for Medicare.

The GOP budget will give those already making over $1 million a year an average tax cut of $394,000. All told, the Republican budget gives away $3 trillion in tax breaks to big oil companies that ship jobs overseas and the ultra-rich, and it does not reduce the deficit. That is wrong.

We should be giving tax breaks to hardworking middle class families, small businesses, and not the wealthiest few. We must end the Bush tax cuts for the rich. No new taxes, no new jobs. No new taxes, no new jobs. Let's work together on a bipartisan budget plan that protects Medicare and makes all Americans pay their fair share.

## KEEPING SOUTH CAROLINA SAFE DURING HURRICANE SEASON

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

Mr. WILSON of South Carolina. Mr. Speaker, tomorrow marks the official first day of hurricane season. Each year, South Carolinians remain alert from June through the summer, hoping another Hurricane Gracie, Hugo or Andrew does not reach our beaches, bringing massive destruction.

During times of emergency, radio and television stations have proven themselves as the most reliable source by being the first to promote important life-saving and time-sensitive information. When disaster strikes, these broadcast networks are still available.

I am grateful for each of these services and look forward to working with our National Guard led by Adjutant General Bob Livingston and Emergency Management Director George McKinney, II.

In addition, I would like to welcome the group of foster young adults who are visiting today, including Jasmine Thompson of Washington. I appreciate each of you sharing your challenges with us, and we look forward to hearing of your success in the future.

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

## PAYCHECK FAIRNESS ACT

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

Ms. FUDGE. Mr. Speaker, today I rise on behalf of the women who are part of the fabric of our Nation's workforce.

Nationally, women working full time are paid 77 cents for every dollar paid to men. These disparities are even worse for women of color. In Ohio, my home State, African American women are paid only 62 cents, and Hispanic American women only 54 cents for every dollar paid to white males.

The gender wage gap not only hurts women; unfair wages hurt entire families. In nearly two out of three American families, a woman is either the bread winner or co-bread winner of their household. That means if women are not paid fairly, many families will not get fed.

I cosponsored the Paycheck Fairness Act because I cannot and will not stand by as pay disparities persist. Gender discrimination is shameless and intolerable, and it must be stopped.

## SEVERE WEATHER WARNINGS

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

Mr. LONG. Mr. Speaker, when a weather emergency strikes, local radio and television stations play an instrumental role in keeping families informed on vital warnings and emergency response efforts.

A little over 1 year ago, the city of Joplin, Missouri, was changed forever when an EF–5 tornado struck. Local radio stations like KZRG, the Zimmer Radio Group, Community Radio Group, and KDMO provided Joplin residents with critical information as it was happening. After the tornado, they helped families locate their loved ones and provided information on where they could seek shelter and food.

Local stations are a tremendous asset to their communities, especially during weather emergencies. These stations keep their communities informed

on the latest weather conditions and provide support after the storms pass.

I want to thank all of the local radio and TV stations across the country, especially those in the Joplin area, for the great public service they provide their communities before, during, and after these weather emergencies.

## GETTING THINGS DONE

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

Mr. HIMES. Mr. Speaker, like so many of us, I am back from 10 days in my district and the constant question of: Why can't Congress come together to get some things done?

I was thinking about that because the Republican majority says we passed the Violence Against Women Act. We passed an extension of the lower student interest rate bill. But when you look at those bills, you really have to scratch your head. The Violence Against Women Act that they passed was opposed by not dozens but by hundreds of women's organizations. Let me say that again: the Violence Against Women Act was opposed by women's organizations from one coast to the other.

I say all of this not to strike partisan points, but because on July 1, student loan interest rates double, putting $1,000 of additional cost on each and every student in this country. The Republicans said let's pay for that by removing preventive health care. To my mind, health care and education are what create jobs. It is time for this institution to act intelligently and help the true job creators in this country.

## HONORING PATRIOT GUARD RIDERS

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

Mr. POMPEO. Mr. Speaker, just a few days after Memorial Day, I rise in support of a new resolution introduced by Mr. GINGREY to honor America's Patriot Guard Riders. The Patriot Guard started in August of 2005 in Mulvane, Kansas, the southern part of the district which I represent, with a group of folks from VFW Post 136; and it now numbers over 220,000 patriotic Americans.

These great Patriotic Guard Riders attend funerals and protect the families from unwanted intrusion during this important time after the servicemembers have fallen. They visit veterans at hospitals and meet with the family members of the soldiers, and they contribute their time and their dollars to scholarships for the families of America's fallen soldiers.

I urge my colleagues to join me in cosponsoring Mr. GINGREY's resolution, H. Res. 669, and in honoring this group of patriotic Americans known as our Patriot Guard Riders.

## CHALLENGES FACING AMERICA

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

Ms. JACKSON LEE of Texas. Mr. Speaker, faced with a number of challenges, I have lived through hurricanes Rita, Katrina, Ike, Storm Allison; and I realize the importance of emergency radio and television giving us the information as a lifeline, and I rise to thank Charity Productions going on in my district right now, the Sixth Annual Ecumenical Hurricane Forum. Thank you so very much for educating our public.

I also wanted to rise today to congratulate CNBC and the Congressional Black Caucus Faith Forum that has been going on for the last 2 days. We realize that America's faith institutions, and in this instance African American denominations, are crucial, coming together to reach out for empowerment, for social justice, and certainly freedom. We thank them so much for the work that they do.

In conclusion, Mr. Speaker, let me say that in this particular body, and in the Judiciary Committee, we are facing the question of FISA and the impact of the FISA amendments, as it has reversible impact on spying on Americans. We must look to get the data and insist that we are securing the homeland, but we must also ensure that Americans are not in essence spied upon, are not surveilled by the impact of international needs.

□ 1220

## HONORING SERGEANT JABRAUN S. KNOX

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

Mr. STUTZMAN. Mr. Speaker, on May 18, 2012, Sergeant Jabraun Knox from Auburn, Indiana, died at the age of 23 of injuries sustained when his unit received indirect fire in Kunar Province in Afghanistan.

Sergeant Knox joined the Army in January 2009 and reported to Joint Base Lewis-McChord, Washington, and was assigned to 1st Battalion, 377th Field Artillery Regiment, 17th Fires Brigade in June 2009. Within a month, Sergeant Knox was deployed in support of Operation Iraqi Freedom until May 2010. His unit was then deployed in support of Operation Enduring Freedom in November 2011.

Sergeant Knox's awards and decorations include the Army Achievement Medal, Meritorious Unit Citation, Army Good Conduct Medal, National Defense Service Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, NCO Professional Development Ribbon, Army Service Ribbon, Overseas Ribbon, and the Marksmanship Qualification Badge.

Sergeant Knox and his wife, Courtney, married on November 9, 2009 in the middle of his deployment to Iraq. Their first child, Braylon, was born October 17, 2011, just 2 weeks before Sergeant Knox was deployed to Afghanistan.

Sergeant Knox selflessly gave his life as a service to defend our country's freedom in support of both Operation Iraqi Freedom and Operation Enduring Freedom. My heart goes out to his family, and I want to express my gratitude to them both for the service they have made for our Nation.

## REVERSING PROGRESS ON WOMEN'S HEALTH

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

Ms. TSONGAS. Mr. Speaker, during this Congress, we have seen numerous bills that would reverse decades of progress for women's health. Today we take our ninth such floor vote.

We have seen H.R. 358, which permits hospitals and hospital workers to choose to deny women care that would save their lives, putting ideology above all. We have seen H.R. 3, a bill that would cause insurers to start refusing to cover a legal and safe procedure. We have seen bills that would restrict women's access to preventive care, and efforts to eliminate all funding for the only Federal program dedicated to providing comprehensive family planning services.

At home, our constituents are pleading for us to focus on job creation, but here we are again today about to debate H.R. 3541, yet another ideologically driven bill that intrudes on the relationship between a woman and her doctor. In particular, this bill puts doctors in situations where they would be forced to report confidential conversations with women to law enforcement.

Let's reject H.R. 3541 and start looking at bills that can solve problems for women.

## THE IMPORTANCE OF HURRICANE PREPAREDNESS

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

Mr. BILIRAKIS. Mr. Speaker, June 1 marks the start of another Atlantic hurricane season. The time to prepare for hurricanes—or any natural disasters—is now.

The Federal Government, led by FEMA, is gearing up to respond to hurricanes that may impact the United States and is working with State and local emergency management officials, first responders, and nonprofit partners to make sure all are prepared.

The private sector also plays a vital role by preparing their businesses and often donating goods and services to response and relief efforts. Broadcasters and wireless providers work to ensure communication systems are up and running to provide vital information during an emergency.

We all play a role in preparedness, and I urge Americans to pledge to prepare—put together an emergency kit,

develop a family plan, encourage others to prepare. Taking those steps now will make a huge difference should disaster strike.

## STUDENT LOAN INTEREST RATES

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

Mr. TIERNEY. Mr. Speaker, during the last 2 months, students from my district have spoken out about their struggles to afford college, to pay their loans, to keep up their grades, and to maintain their jobs. Many of them are working multiple jobs and still graduated with $20,000 to $30,000 in debt, and it's way too much for them.

So now they're just watching as the days tick by, and we're getting closer to July 1, when student loan interest rates will actually double if Congress doesn't act. They are understandably scared and frustrated.

At Middlesex Community College recently, the students that I met with added their voices to the debate and signed their names on the ''Wall of Debt.'' In the days following, hundreds of students, parents, and even grandparents added their names to what has now become the virtual ''Wall of Debt.'' They're letting Congress know that we can't let those interest rates double on July 1.

So, again, I'm standing here today on behalf of 177,000 students from the Commonwealth of Massachusetts and 7 million students across the country whose student loans rates are set to double if Congress doesn't act, and I call upon my Republican colleagues to put the partisanship and the political games aside and take real action on this important issue.

While I believe the bill that I put forward a month ago to prevent the interest rate from doubling to 6.8 percent and was fully paid for by just one tax subsidy to Big Oil was fair and reasonable, I continue to be open to find other ways to compensate for that bill. I urge my colleagues to join me in doing that and make sure that this interest rate does not double.

## REPUBLICAN PLAN FOR AMERICA'S JOB CREATORS

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

Ms. FOXX. Mr. Speaker, in 2009, the Obama administration said unemployment would never reach 8 percent if the stimulus was approved. Three years and $1.2 trillion in spending later, unemployment has remained above 8 percent for 39 consecutive months, the longest span since the Great Depression. Even more alarming is that 8 percent doesn't illustrate how grim the situation really is.

More than half a million more Americans are out of work since President Obama took office, and currently the percentage of working Americans is at a 30-year low. Unemployment would be 40 percent higher if more Americans hadn't given up looking for jobs.

With these numbers, it is clear that President Obama's policies have failed and are making the economy worse.

House Republicans have a plan for America's job creators to help turn this economy around. It's time for the President and Senate Democrats to stop blocking our jobs bill and help us put Americans back to work.

## PRENATAL NONDISCRIMINATION ACT

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

Ms. BONAMICI. Mr. Speaker, I rise in opposition to the Prenatal Nondiscrimination Act, which is yet another misleading bill that purports to help women, when in reality it takes away their freedom to control their own reproductive health. Mr. Speaker, we should be talking about jobs, but instead we're spending time on this divisive issue.

We can all agree that women should not choose to terminate a pregnancy based solely on gender, but this bill criminalizes a legal procedure and puts doctors in the role of legal and moral arbiter, and could give almost anyone who asserts an interest an effective veto over a woman's intimate personal health care decision.

This bill is another attempt to limit a woman's ability to make her own decisions about her life and her health. It will restrict the rights of women to obtain a completely legal and constitutionally protected medical procedure. If we want to truly and effectively address the issue of gender-selective abortion—a problem much more pervasive in other parts of the world—there are much better ways to do it than making suspects out of women and criminals out of doctors.

## WAR ON WOMEN LEGISLATION

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

Ms. SCHAKOWSKY. Mr. Speaker, this week, Republicans are bringing to the floor a bill that purports to stop abortions based on sex selection, but it is so broadly written and so clearly unconstitutional that it is obvious that they are really after rolling back the clock and undermining comprehensive health care for women.

The bill includes a provision that would allow a woman's husband or parents—by merely alleging that an abortion is because of gender—to seek injunctive relief to prevent the doctor from performing abortion procedures, sending an incredibly private and personal decision into the courts and potentially forcing women against their will or health to go through with a pregnancy.

Republicans oppose protections for immigrant women under the Violence Against Women Act, they oppose pay equity and access to contraceptives, but with this bill they claim to be defenders of women?

Today marks the third anniversary of the death—and the murder—of Dr. George Tiller of Wichita, Kansas, who performed legal abortions. His motto was ''Trust women.'' He believed that women—not the government—should make the decisions about their health and their lives. I'm not fooled, and American women aren't fooled. This bill is just the latest strike by Republicans in the war on women.

□ 1230

## ACCESS TO EDUCATION

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

Ms. EDWARDS. Mr. Speaker, from an early age, my parents instilled the importance of obtaining a quality education. They cultivated a love of learning and made it clear how important an education is to success in life. They could not have been more right. Higher education is the single biggest determining factor for lifetime earning potential, with those holding a bachelor's degree earning double the yearly salary of someone with a high school diploma.

And yet, while the benefits of education are clear for America's families, my Republican colleagues seem deaf to the message. Even as college tuition has increased 28 percent in the last decade, Republicans continue to play partisan and ideological politics that will only ensure that 7 million students across the country will see their interest rates double in July. They're more concerned with gutting health care reform and protecting the wealthiest 2 percent and Big Oil and corporations than making college more affordable for America's students. And the one time House Republicans put the student loan issue to a vote, they insisted on slashing critical funding for women and children's preventative health care in exchange.

If you're thinking, ''Oh, no, not again,'' you're right. It's time for my Republican colleagues to recognize that students deserve better, and it's time to take action to ensure that student loan rates don't increase, don't double by July. Actually, time is running out.

## PASS THE PAYCHECK FAIRNESS ACT

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

Ms. WOOLSEY. Mr. Speaker, it's absolutely appalling that in the year 2012 women still make 77 cents for every dollar earned by their male peers.

This isn't just an issue of fundamental fairness. With so many women

heading households and being the primary breadwinner, it's a matter of economic security for American families. These women face the same financial pressures as any other American. They certainly don't get a 23 percent discount on their rent or mortgage payment, on the groceries they buy or on the children's shoes they have to replace.

We must pass the Paycheck Fairness Act, which the Senate plans to vote on next week and the House passed in the last Congress. I ask my Republican friends, Mr. Speaker, why the Republicans aren't making this a priority instead of today we're voting on a divisive abortion bill that criminalizes a woman's most private health care decisions.

Women do not need yet another attack on their reproductive rights. What they need is economic justice. When will the majority get it?

## STUDENT LOAN INTEREST RATES

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

Ms. CHU. Mr. Speaker, imagine the shocked faces of daughters and sons all across the country when they open up their July billing statement, add up all the figures, and find it's cheaper to buy a home than pursue their higher education.

Come July 1, Republicans are going to let interest rates on student loans double. At the same time, they're making sure wasteful tax breaks for yacht and private jet owners stay in place. In fact, it's the best way for them to keep the Millionaires Club an exclusive club for good old boys, by blocking the best avenue for success that this country has ever known—a college education.

The GOP is turning the aspirations of young Americans into a revenue stream for the wealthy. They're financing reckless tax policies on the hopes and dreams of our children. I urge them to join Democrats in a serious proposal to stop these interest rates from doubling. The next generation is counting on us to act responsibly.

## FOOD AND DRUG ADMINISTRATION REFORM ACT

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

Mr. CARNEY. Mr. Speaker, I rise in support of the Food and Drug Administration Reform Act and, in particular, the provisions it contains to address critical drug shortages. Across the country, patients are not getting critical medications they need to battle diseases and stay healthy. This crisis is hitting cancer patients especially hard, with serious shortages of chemotherapy drugs.

In response to this crisis, I introduced the Drug Shortage Prevention Act with my colleague, Representative LARRY BUCSHON. I'm pleased that key provisions of this bill are included in the legislation that the House passed last night. These provisions help FDA and the DEA fix some of the regulatory problems that are causing these shortages.

This is not a partisan issue. Drug shortages affect all of us. I'm pleased that the Senate passed its own version of this legislation last week, and I'm hopeful that both Chambers can quickly come together to present a final package for the President's signature.

When a family gets hit with a diagnosis like cancer, they have enough things to worry about. Running out of chemotherapy drugs should not be one of them.

## SUPPORT LOCAL BROADCASTERS

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

Ms. RICHARDSON. Mr. Speaker, tomorrow marks the official start of this year's hurricane season. As ranking member of the Subcommittee of Emergency Communications Preparedness and Response that supports the Department of Homeland Security, I'm speaking today to note that broadcasters have demonstrated a continued commitment to local communities in providing critical information during times of disaster.

When disaster strikes, Americans depend upon their local television and radio stations for access to lifesaving information and emergency announcements. Broadcasters' commitment to public service is never more apparent than in the time of a crisis.

As we typically see during times of disasters, whether it's a hurricane, flood, fire, tornado, earthquake, or a widespread power outage, broadcasters remain to cover the dangerous situations, and, most importantly, they provide vital assistance to those who might need it.

During an emergency, broadcasters deliver comprehensive, up-to-date warnings and information to those affected areas, which helps victims and also brings comfort to family members who are awaiting any kind of information. This issue is very important to all of us. Broadcasters can provide information in a moment's notice when we need it most.

I ask my colleagues to join me to commend our local broadcasters for their work, their continued readiness, and the important role that they play in the time of an emergency.

## EMERGENCY PREPAREDNESS

(Mrs. MCCARTHY of New York asked and was given permission to address the House for 1 minute.)

Mrs. MCCARTHY of New York. Mr. Speaker, as has just been mentioned by my colleague from California, tomorrow, June 1, is the official start of the 2012 Atlantic hurricane season, which would potentially mean bad news for areas across the Nation, including folks on Long Island in my congressional district.

Last year, Hurricane Irene and the earthquake felt along the east coast reminded us of the importance of the Nation's first responders, specifically, the importance of our broadcasters.

Emergency plans are only effective if they are able to be communicated to the folks in need. This fact underscores the importance of our broadcasters.

With that in mind, I have constantly supported efforts for both the Department of Homeland Security and the Federal Communications Commission to explore the potential benefits of including radio tuners in mobile telephones. Since technology would ensure that folks have an outlet to receive critical information in times of need, I encourage this Congress to act swiftly to consider any and all opportunities that would facilitate communication during emergencies.

As we embark on hurricane season, let's take this moment to recognize the importance of broadcasters and all of our first responders that selflessly provide services in our time of need.

## PROVIDING FOR CONSIDERATION OF H.R. 5743, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013; PROVIDING FOR CONSIDERATION OF H.R. 5854, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2013; PROVIDING FOR CONSIDERATION OF H.R. 5855, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 5325, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Mr. NUGENT. Mr. Speaker, I ask unanimous consent that, upon adoption of House Resolution 667, amendments number 4 and 6 printed in House Report 112–504 be modified to include the amendatory instructions that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the modifications.

The Clerk read as follows:

Amendatory instructions for amendment No. 4 printed in House Report 112–504:

At the end of title III, add the following new section:

Amendatory instructions for amendment No. 6 printed in House Report 112–504:

At the end of title IV (page 21, after line 2), add the following new section:

The SPEAKER pro tempore. Is there objection to the modifications?

Without objection, that will be the order.

There was no objection.

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 667 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 667

*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. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, 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 Permanent Select Committee on Intelligence. 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 Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. 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 any bill specified in section 3 of this resolution. The first reading of each such bill shall be dispensed with. All points of order against consideration of each such bill are waived. General debate on each such bill shall be confined to that bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate each such bill shall be considered for amendment under the five-minute rule. Points of order against provisions in each such bill for failure to comply with clause 2 of rule XXI are waived. During consideration of each such bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports any such bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on that bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. The bills referred to in section 2 of this resolution are as follows:

(a) The bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

(b) The bill (H.R. 5855) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2013, and for other purposes.

(c) The bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes.

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

□ 1240

Mr. NUGENT. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. NUGENT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. Mr. Speaker, I rise today in support of this resolution and of the four rules that it contains.

The rules provide for the consideration of critically important pieces of legislation meant to fund the Federal Government, provide for our Nation's veterans and protect our national security. With this resolution, I have the distinct honor of bringing three appropriations bills to the House floor under open rules. I'm not sure when the last time is that somebody got to say he was bringing three open rules to the House floor at one time, but I am proud to be able to do that today.

House Res. 667 continues the majority's promise to the American people to bring openness, debate, and transparency back to Congress. As a father of three sons in the military and as the Representative of over 116,000 veterans, I'm particularly happy that this resolution provides an open rule for the bill that funds our Nation's veterans programs and meets our military construction needs. We owe our veterans a debt that can never be repaid, but the very least we can do is provide them with the benefits they so bravely and so selflessly earned.

I applaud the Appropriations Committee for the bipartisan way they worked together to fund these programs for our American heroes and their families. It shouldn't go unnoticed that at a time when it seems difficult to work across the aisle, the Appropriations Committee did just that, and they passed it unanimously. We shouldn't play politics with our veterans, and the Military Construction and Veterans Affairs appropriations bill doesn't.

House Res. 667 includes a structured rule for the Intelligence Authorization Act for 2013. This is a bill that authorizes our Nation's intelligence and intelligence-related activities. It includes our National Intelligence Program and Military Intelligence Program. It specifically ensures that nothing in this bill gives the government the authority to conduct any intelligence activity not otherwise authorized by the U.S. Constitution or our laws.

Although this rule may not be an open rule, it is necessarily so. The classified nature of the Intelligence authorization bill means that we can't debate a lot of the specifics of the underlying bill on the House floor. If we were to debate some of these amendments, we would be put in the impossible position of supporting or opposing the amendments based on facts that we simply can't discuss for reasons of national security. Still, in our efforts to be open, the Rules Committee managed to allow nine amendments on this debate. Seven of those amendments are Democratic, and two are Republican. This too is a bipartisan bill, and the Intelligence Committee passed it unanimously with a 19–0 vote. As the minority views of this bill stated, the stakes are simply too high to make our intelligence programs political.

For all of these reasons, I am proud to support this resolution, a resolution that provides for an extremely open process while balancing the transparency with our national security when it comes to debating our intelligence programs.

With that, I encourage my colleagues to vote ''yes'' on the rule, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague from Florida, my friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Departing for the moment at hand, Mr. Speaker, just to identify that, today, the bipartisan Foster Youth Program has on the Hill with many of us foster care youth from around this Nation. This bill directly affects their lives. I have the good fortune of having a constituent, Breon Callins, and Washington, D.C. youth Goldie Brown following me today, and I hope they hear my remarks and understand the importance to them and to all children in America's future.

The rule provides for the consideration of four bills—the Intelligence authorization, Energy and Water appropriations, Homeland Security appropriations, and Military Construction and Veterans Affairs appropriations. While I agree with my colleague Mr.

NUGENT that it is important that this is customarily an open process—and I commend my Republican colleagues in that regard—I do as I did in the Rules Committee—and he was there last evening—object to the significant number of amendments that were not allowed, and I am sure there are Members who will be present to speak to them.

Once again, we are looking at broken Republican promises on spending levels. Once again, we are shortchanging our future for the selfish demands of today.

□ 1250

And once again, we're missing the opportunity to fully invest in our Nation. The choices made in these bills make no sense to me, Mr. Speaker. Nuclear weapons instead of nonproliferation. Fossil fuels instead of renewable energy. Divisive abortion provisions instead of bipartisan agreement on Homeland Security.

It's almost as if Republicans enjoy jabbing a finger in the eye of progress. They seem to be doing everything they can to find ways not to grow our economy and create jobs. They do not seem to understand that clinging to fossil fuels and nuclear weapons at the expense of scientific research and energy efficiency will not bring about the kind of progress that this great Nation needs. When you cut the Office of Science, when you cut the Advanced Research Projects Agency, and when you cut energy-efficiency programs, you harm our ability to invest in the kinds of research that lead to innovation and job creation.

Mr. Speaker, I could go through all of these bills and point out everywhere the majority has not sufficiently invested in the kinds of programs we need to make progress. It would not be hard, because unless it involves military spending or oil, you can be sure that the majority has cut it under the argument that we're in a fiscal crisis and cannot forward it.

Mr. Speaker, I reject that notion. We can afford to invest in our future, we can afford to create jobs, and we can afford to make the choices now that will reap the benefits for future generations, including those foster children that I mentioned.

When President Bush wanted to invade Iraq, Congress spent a trillion dollars. When Republicans wanted to cut taxes for the best off among us in America, Congress spent a trillion dollars. When Congress wanted to fight the war on terror, it appropriated and still does nearly unlimited funding to do so. So this is not about the deficit. The United States does not lack the money to prioritize our future. What we do lack is the political willpower and the leadership necessary to set gainful priorities.

Spend some now, save more later. What is obvious to middle class and working poor Americans seems entirely lost to my Republican colleagues. This Nation should be benefiting from American ingenuity and products made here in America. My colleagues on the other side of the aisle would rather let other countries take the lead in scientific advancement, energy efficiency, and clean energy. I'm not just talking about this year's appropriations, Mr. Speaker. I'm talking about the trend under the Republican majority of defunding and deprioritizing the long-term needs of the Nation. It's just plain depressing.

I know that many of my colleagues on the other side of the aisle would prefer to see climate change as a liberal hoax, clean energy as a Socialist cabal, and science as a Communist plot. But drastic changes are upon this country and indeed upon this world, and our failure to adequately address these challenges now will cost us more in the future.

We need energy efficiency, not environmental degradation. We need nuclear nonproliferation, not more nuclear weapons. And we need more investments in science, because the next generation—including those foster children that I spoke about—of American scientists and innovators might not be one of the billionaires or millionaires so beloved by my Republican colleagues, but instead might be a desperate entrepreneur in need of a little bit of Federal assistance in order to make that great scientific breakthrough.

The sacrifices continually demanded by the Republican majority—in order to provide ever more money for foreign wars and tax cuts for the wealthy, including those of us in Congress—are shortchanging the future of this Nation. Rather than work with Democrats to develop bipartisan policies and funding priorities to address the country's challenges, House Republicans are continuing to use the appropriations process for partisan gimmickry and political gamesmanship, and pretending by deeming something that ain't going to happen in the Senate as law.

I can't tell you what business anti-abortion provisions have in a bill about funding the Department of Homeland Security. I can't tell you why it's more important for the Republicans to target women's health than it is to achieve bipartisan consensus on funding our Nation's first responders. And I can't tell you why, Mr. Speaker, we still have to debate this issue when there are so many other pressing concerns before us today.

Rather than garner Democrat support for the Homeland Security bill, Republicans felt the need to poison the legislation with the erroneous abortion provisions regarding the Immigration and Customs Enforcement agency. Rather than take seriously the need to fund disaster relief—and, yes, it is true, tomorrow hurricane season begins, and we haven't done all or nearly as much as we should have, and there were amendments that would have addressed some of the things that we should, in fact, be prepared to do. Rather than take seriously firefighter assistance grants, cybersecurity efforts that are growing exponentially, the Coast Guard, the Secret Service, and other Federal frontline agencies, the majority has cast aside cooperation in the name of what I believe is reckless ideological point-scoring.

So in this latest season of appropriations, Mr. Speaker, we find ourselves yet again cutting from valuable, worthwhile, and essential programs that would create jobs made in America, grow our economy, and ensure prosperity for the millions of Americans still struggling to get by.

I reserve the balance of my time.

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

I'm always at a loss sometimes when I hear certain things, but this is really about there is no energy policy in America. We're talking about actually investing in some of the resources that we're standing on today in America to help us become more energy independent, not more energy dependent.

We've seen what Solyndra did. We've seen what some of these ideas have been. While some are very intuitive or can lead to some directions that we want to go in, we have resources here today in America that can help us become more energy independent. This appropriations bill actually increases that R&D, that development of clean coal. We have over 300 years of energy just in coal alone. Why would we not look at how we can clean it by utilizing technology to do so? This bill does that.

Mr. Speaker, as we move forward, you've got to remember that three of these bills are open for amendment. My good friend on the other side probably remembers back to the 111th Congress when they never had an open rule on appropriations. But with this, we have three open rules and one structured rule. So if you don't like something that's contained in any one of those three bills, you have the opportunity to amend it on the floor. You can do that.

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

Mr. HASTINGS of Florida. Mr. Speaker, I personally tire of using one bad example on energy creation—Solyndra, which was and is a bad example—and ignoring all of the other kinds of investments that we have made in this Nation that are going about the business of solar and wind. I saw in my congressional district this weekend a wind program that is the future that is working with existing energy infrastructure.

Mr. Speaker, I yield 3 minutes to my distinguished good friend, the gentlewoman from California (Ms. MATSUI), a former member of the Rules Committee.

□ 1300

Ms. MATSUI. I thank the gentleman from Florida for yielding.

Mr. Speaker, since I was elected to office in 2005, increasing the level of Sacramento's flood protection has been my highest priority. Sacramento is the most at-risk metropolitan area for major flooding, as it lies at the confluence of two major rivers—the Sacramento and the American. Sacramento is home to California's State capitol, an international airport, and half a million people. If Sacramento were to flood, the economic damages would range up to $40 billion. We have a lot at risk.

We are all well aware of our country's austere budget environment, but it is imperative that Sacramento's basic flood protection needs be met. The Federal Government must continue to fulfill its commitment to protect the lives and the livelihoods of the capital area of the largest State in the Union.

I want to applaud the Energy and Water Appropriations Subcommittee for including adequate funding for Sacramento's top flood protection projects:

For the American River Common Features, the bill includes more than $6 million, which would be for work within the American River watershed, including American River Common Features General Reevaluation Report, further design work in support of levee improvements in Natomas and levee improvements on the American River.

For the Folsom Dam Joint Federal Project and Dam Raise Project, the bill includes more than $87 million to continue construction on the auxiliary spillway, which will provide greater efficiency in managing flood storage in Folsom Reservoir and critical dam safety work.

Mr. Speaker, each one of the projects is a critical component in improving the flood protection for the entire Sacramento region. Taken together, these projects help us to achieve the flood protection levels that families and businesses throughout the Sacramento area need and deserve. In addition, the legislation includes a reserve fund that will allocate over $92.5 million to the Corps for the purpose of funding flood protection projects.

Since I remain concerned that the Corps did not request its full capability for Sacramento flood protection projects in their budget, I will work vigorously to secure additional funding for Sacramento's flood protection priorities during the Corps' reserve fund competitive process, as outlined in this bill.

Mr. Speaker, I will continue to push for higher levels of funding to meet our flood protection needs and priorities, not only for the Sacramento area region but for the country as a whole.

Mr. NUGENT. Mr. Speaker, I yield such time as he may consume to the to the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. I want to thank my good friend for his able management of this important rule.

I say to my friend from Fort Lauderdale, I'm really surprised to see Democratic opposition to this rule. Why? Well, we're dealing with an issue that has been near and dear to my friend from Ft. Lauderdale for years—intelligence issues. He served with distinction on the Permanent Select Committee on Intelligence, and we have come up with a structured rule.

That structured rule makes seven amendments in order that were submitted by Democrats and two amendments in order that were submitted by Republicans. If you look at the litany of those amendments the Democratic Members are offering, it's very clear that we have—we will have a wide-ranging debate, which, as we all recognize, Democrats and Republicans alike, has to be somewhat limited when we're discussing our Nation's intelligence issues.

So we've got a rule that makes in order seven Democratic amendments and two Republican amendments to deal with intelligence. Then we have three appropriations bills—three appropriations bills—all of which—all of which—under this proposed rule will be considered under an open amendment process, regular order, full, open amendment.

I have got to say that when I think back to being in the minority—and we served for 4 years in the minority here—if our friends on the other side of the aisle had come up with a structured rule that made seven Republican amendments in order and only two Democratic amendments in order on the Intelligence authorization bill and they had three completely open rules, I would feel very sanguine in saying that we would not only embrace, but we would enthusiastically support, that kind of rule.

That's why I've got to say that as the American people continue to ask us to work together, I mean, we have the CBO report that came out, just came out, talking about the prospect of another economic recession coming after the first of the year if we don't deal with issues like spending and taxes. And I'm not going to get into a big debate on that. We all know where we stand on those issues. But if we don't deal with those, we face the threat of another serious economic downturn based on this study that the Congressional Budget Office has just put out. They're saying to me, as I talk to people in California and around the country, they want us to work together. We've come forward with a rule, Mr. Speaker, that allows for three open rules.

To remind my colleagues what that means is it means that any Member, Democrat or Republican, will have the opportunity to stand up and submit their amendment, debate it here on the House floor and have an up-or-down vote on it, and we're going to deal very responsibly in what I believe will be a bipartisan way with intelligence issues.

Now, I understand, to be fair, that there are some concerns of what was included in the appropriations bills themselves. But the process itself is one which has existed under both Democrats and Republicans. It provides protection for the work product of the Appropriations Committee but has an open amendment process on floor.

Mr. Speaker, I would just like to say that I hope that as we move ahead with these appropriations bills and other items that our colleagues on the other side of the aisle will recognize that we would have been grateful—we would have been grateful on our side of the aisle when we were in the minority—to have the kind of treatment that is now being rejected when we have put it forward on our side. Again, this is a very fair opportunity which recognizes the rights of Republicans and Democrats alike, and I hope we will have a bipartisan vote in support of the rule and then move to this very, very important work that we have that lies ahead.

Mr. HASTINGS of Florida. Mr. Speaker, may I inquire as to the time remaining for both sides?

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 18 minutes, and the gentleman from Florida (Mr. NUGENT) has 21 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to my classmate and good friend, the distinguished gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, when the Republican majority came to power, they promised transparency and greater debate. But today they have once again failed to keep that promise by refusing to allow a vote on a critical amendment requiring a report on human rights abuses in Argentina over 30 years ago.

For 20 years, I have fought for human rights and transparency in this House, and today the majority refuses to spare me 10 minutes for debate. But what's worse is they won't spare 10 minutes for the hundreds of children born in prison camps, for the thousands of grandparents that still hold out hope day after day that they will be reunited with their lost loved ones, for the 30,000 people who've disappeared at the hands of a brutal military regime and the millions of Argentine citizens who still seek justice and closure.

This amendment has been made in order numerous times in the past and has even been accepted without objections by both Democrats and Republicans. But it seems this year the House Republican leadership doesn't have time for human rights.

As I have said before, with this amendment we have an opportunity to provide answers to thousands of families who have waited for years to learn the fates of their loved ones and help

close this troubling chapter in Argentina's history. To reject my amendment would have been one thing, but to silence it entirely is unconscionable.

The majority's handling of this issue is irresponsible and shameful. I urge opposition to this rule so these critical facts can be made clear for our country and for Argentina.

□ 1310

Mr. NUGENT. Mr. Speaker, the gentleman's amendment, I believe, was made in order in 2001 when it was Democratically controlled—and it failed in the House. In fiscal year 2012, the Rules Committee actually made the amendment in order but the gentleman failed to submit it on the House floor.

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

Mr. HASTINGS of Florida. If the fact that something failed in one year allows that it's not to be brought up another year, then we would be out of business around this joint. But if my colleague is seeking me to yield, I understand your point in the end, but I just want to say that Mr. HINCHEY should have had an opportunity to make his presentation.

Mr. NUGENT. If the gentleman would yield, I understand his position as it relates to something that occurred 30 or 40 years ago. But last year he didn't even offer it. It was made in order during the fiscal year, and he didn't even offer it.

Mr. HASTINGS of Florida. Well, he offered it now and we didn't accept it. Therefore, perhaps he'll get another chance.

Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentleman from New Jersey (Mr. HOLT), with whom I served on the Intelligence Committee for 8 years.

Mr. HOLT. I thank my friend.

Mr. Speaker, I rise in opposition to this rule which covers, in part, the Intelligence authorization debate.

I want to address not what the bill contains, but what it does not. It does not contain any prohibition on the executive branch using drones to target American citizens for death. I offered a commonsense proposal to address this matter, but the Rules Committee declined to allow it to come to the floor for a vote.

Also missing from this bill is any kind of protection for national security whistleblowers who seek to report waste, fraud, abuse, or criminal conduct to the House and Senate Intelligence Committees. I offered a proposal to address that problem, expanding on language from a whistleblower provision that passed this House in 2002 as part of the bill creating the Homeland Security Department—a proposal that likewise was blocked from being considered on the floor.

Finally, among other things, this bill contains no provision to tell Americans in simple raw numbers how many Americans have had our private communications intercepted by the government over the past several years. Just the number is all we were asking for. That proposal as well was blocked from floor consideration.

The Intelligence authorization bill should never serve simply as a rubber stamp for funding and programs that the intelligence community wishes. This committee, the Intelligence Committee, was created to provide oversight of that community, particularly for the most controversial programs and practices. The bill before us today fails on those counts, which is why the rule and the bill should be opposed.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. I am very pleased at this time to yield 2 minutes to the distinguished gentleman from Illinois, my good friend, Mr. DAVIS.

Mr. DAVIS of Illinois. I want to thank the gentleman from Florida for yielding.

I rise in opposition to the rule and to the underlying bill, H.R. 5854, the Military Construction and Veterans Affairs Act, as related to project labor agreements. This bill would prohibit the use of project labor agreements. It takes away the ability of the Department of Defense, the Department of Veterans Affairs, the American Battle Monuments Commission, the Court of Appeals for Veterans Claims, and the Arlington National Cemetery to use a project labor agreement business model to determine what would be the most optimal and effective way to build construction projects.

Currently, all of these agencies have two choices: either ''yes'' to use a project labor agreement or ''no'' to not use a project labor agreement. The bill before us eliminates the choice for these agencies in seeking the most effective and efficient use of taxpayers' money to perform construction projects in the best interest of our brave men and women.

By banning project labor agreements it would contribute to delays in new construction and add more cost to the projects. If we want smart government, then I encourage all of my colleagues to vote ''no.'' And without passage of the Grimm amendment, I would oppose both the rule and the bill.

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

Mr. Speaker, I would just say to my friends on the other side, remember that that's an open rule. If you don't like a portion of it, then amend it. Bring an amendment to the floor. I know they're confused about that, and I know they didn't have it in the 111th Congress, but in this Congress you have the ability to amend it.

No piece of legislation is perfect. That's why you have the ability for amendments. So I would encourage my friends on the other side, or any Member, Republican or Democrat alike, if they want to see something different, amend it. That's the beauty of this.

I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. If we defeat the previous question, I will offer an amendment to the rule to require that immediately after we adopt this resolution, the House will consider H.R. 1519, the Paycheck Fairness Act, introduced by my friend, Ms. DELAURO. And I am proud to be an original cosponsor of this bill.

I yield 2 minutes to the distinguished gentlewoman from Connecticut, my friend, Ms. DELAURO.

Ms. DELAURO. I rise in opposition to the previous question. Defeating the previous question will allow the gentleman from Florida to amend the rule to include consideration of the Paycheck Fairness Act, an act that addresses the financial pressures facing women today and the need to close the gender wage gap.

Almost 50 years after Congress passed the Equal Pay Act to end the ''serious and endemic'' problem of unequal wages, women—now one-half of the workforce—are still making only 77 cents on the dollar as compared to men. This holds true across occupations and education levels.

Some have called unequal pay a ''myth'' or a ''distraction.'' It is neither. Women should be paid the same as men for the same work. That is what paycheck fairness is all about—same job, same pay.

Yesterday, the Democratic Steering and Policy Committee heard from two women affected by pay discrimination—Ann Marie Duchon and Terri Kelly. Both women were eloquent in sharing their stories of fighting for 7 years to see that their pay and equity was remedied.

And like the nearly-two thirds of women today who are either a breadwinner or co-breadwinner, both women said that their families depend and rely on their income. Pay discrimination not only affects them, but their children and their husbands.

Pay inequity is at the root of the financial pressures facing women today. It is critical that we pass the Paycheck Fairness Act. Take steps to stop discrimination in the first place by putting an end to pay secrecy, strengthen workers' abilities to challenge discrimination, and bring the equal pay law into line with other civil rights law. The House has passed the bill twice on a bipartisan basis. Let's do it again.

I urge my colleagues to defeat the previous question.

Mr. NUGENT. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from California, my friend, Mr. MILLER.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I rise to urge my colleagues to defeat the previous question and amend this rule to allow consideration of the Paycheck Fairness Act. This bill is critical to women and families, and its time

has come. It's not only about basic fairness for women—getting equal pay for equal work. It's also an economic issue for families. Getting paid less for just being a woman means fewer resources to pay the mortgage or to put food on the table.

Today, women earn 23 percent less than men do for doing the same job. But those women don't get a 23 percent cut in their health care costs. They don't get 23 percent off their rent. They don't get 23 percent off their grocery bill. But they do get 23 percent off their paycheck.

It's outrageous that this Congress is not doing all it can to eliminate pay discrimination, and it's outrageous today that American corporations have as a matter of their business plan to pay women less than they pay men for the identical jobs, identical responsibilities, identical education, and identical experience.

□ 1320

Corporations have made a decision that they will pay those women less, and that's why women earn only 77 cents for every $1 that their male counterparts earn for doing the same job.

Congress ought to let us take up this bill and get rid of this inequity to America's women, women who are working to support their families and to provide for their families.

Mr. NUGENT. Mr. Speaker, I continue to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, would you advise again how much time remains?

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 9 minutes remaining, and the gentleman from Florida (Mr. NUGENT) has 20 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased at this time to yield 1 minute to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY) with whom I served, again I say, on the Intelligence Committee for 8 years.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of the Paycheck Fairness Act, which would help end the pay disparity between men and women in the workplace. You heard that women earn 77 percent of what men earn; that's the average. But for African American women, it's 62 percent, and Latinas, it's only 53 percent. In Illinois, as a group, full-time working women lose approximately $21 billion a year due to the wage gap. If the Illinois wage gap, which amounts to nearly $12,000 a year, were eliminated, a working woman in Illinois would have enough money for approximately 108 more weeks of food, 7 more months of mortgage and utility payments, 14 more months of rent, 36 more months of family health insurance premiums, and over 3,000 additional gallons of gasoline.

American families and our economy are paying the price of this wage discrimination, and it is time to end it. I urge all my colleagues who support fairness, who support women, to support the Paycheck Fairness Act.

Mr. NUGENT. I continue to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 1 minute to another of my classmates, the gentlewoman, my good friend from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I urge defeat of the previous question and the consideration of the Paycheck Fairness Act to correct a terrible injustice where women are systematically paid less than men for doing the same work.

On average, women receive 77 cents for every dollar paid to male workers. This disparity means a loss of nearly $11,000 a year, or the equivalent of 4 months of groceries, 5 months of child care, and over 6 months of rent and utilities.

The wage gap is even more pronounced for black and Latina women, who receive just 62 cents and 54 cents, respectively, for every dollar paid to white men. It is unbelievable that in the 21st century, wage discrimination against women remains so rampant in a Nation that values family and fairness so highly.

In good conscience, how can this House do nothing while our wives, daughters, mothers, and grandmothers are discriminated against in the workplace? Don't they deserve equal pay for equal work and the opportunity for a better life?

I urge my Republican colleagues to do the right thing and help pass the Paycheck Fairness Act to fulfill our Nation's promise of fairness, equality, and justice for all.

Mr. NUGENT. I continue to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 1 minute to the distinguished gentlewoman from California (Ms. LEE), who is my good friend and also has served on these committees for a long time.

Ms. LEE of California. Mr. Speaker, I want to thank Mr. HASTINGS for his leadership and for yielding, and also to Congresswoman ROSA DELAURO for her relentless leadership on the Paycheck Fairness Act and also as the ranking member of the Labor, Health and Human Services Appropriations Subcommittee.

I rise to support the Paycheck Fairness Act. It's totally unacceptable that in 2012 women continue to be blatantly discriminated against in the workplace in terms of equal pay for equal work. This is just downright wrong. It contributes to the economic insecurity of women, also of children and of men.

In 2011, African American women earned 62 cents to every dollar earned by white males, and for Latinas, it was 62 cents per dollar. This discrimination against women of color and all women must end.

Now it's been nearly 50 years since the passage of the Equal Pay Act, but at the rate we're going, if we continue to do nothing, women will not have pay equity until the year 2056. So we need a comprehensive solution to this historical and systemic discriminatory practice, and that is what Congresswoman DELAURO has introduced.

So I urge consideration and passage of the Paycheck Fairness Act. Women deserve economic justice.

Mr. NUGENT. I continue to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. TIERNEY) with whom I served on the Intelligence Committee for 8 years.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman.

The Paycheck Fairness Act deserves attention, and it deserves attention now. We passed the Lilly Ledbetter Act very quickly because it was essential. It shows that this House can work together when it wants to. We kept the courthouse doors open for recourse for pay discrimination. More has to be done to prevent that discrimination from happening in the first place.

My mother worked split shifts when we were growing up. My father worked sometimes two jobs, but his income was limited. Every dollar my mother brought home was critical to our family and to our household, and that's true in so many households across this country today.

A household's bills don't go down by $10,000 just because a woman is treated unfairly and paid less. The clothing bills don't go down; the gas bills don't go down; the food bills don't go down. So it's important that we get this bill moving at this point in time.

The Paycheck Fairness Act reasserts the principle that women should get equal pay for equal work. It holds employers accountable if they discriminate. It puts an end to pay secrecy so women will be able to determine whether or not they are getting treated fairly. And it prohibits retaliation for someone who wants to talk about paycheck fairness.

This bill is important for families across this country. It deserves attention. I urge my colleagues to take it up now and pass it.

Mr. NUGENT. I continue to reserve.

Mr. HASTINGS of Florida. Mr. Speaker, I would ask of my good friend from Florida whether he intends at this time to have any additional speakers other than himself?

Mr. NUGENT. I do not.

Mr. HASTINGS of Florida. Mr. Speaker, I'm prepared to close.

I ask unanimous consent to insert the text of my 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 gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I do and will urge my colleagues to vote ''no'' and defeat the previous question.

But at this time, I will close by saying our future economy, national security, and way of life depend on harnessing the power of scientific advancement, technological progress, and clean energy. And in this respect, America has no peers in the world. These efforts will enable us to reduce our dependence on oil, develop better energy infrastructure, and mitigate the effects of climate change. At the same time, we have to ensure our frontline homeland security resources are adequately funded and sufficiently prepared to meet new challenges.

We cannot be distracted by ideological poison pill amendments on abortion. We cannot be dissuaded from making the necessary investments because of false claims that we cannot afford them. And we cannot be so willing to sacrifice our Nation's future prosperity to fund more tax cuts for the wealthiest—and I continue to say, including those of us in Congress, the wealthiest Americans—and more nuclear weapons for the military.

These appropriations measures are Congress's best opportunity to set our Nation's priorities and to invest in our economy. Continually defunding these programs is the opposite direction of where we need to go. We must provide the funds necessary to make the advances that will ensure America's continuing global leadership.

□ 1330

I urge my colleagues to oppose this rule and to defeat the previous question, and I yield back the balance of my time.

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

This is a responsible use as relates to a budget that we passed in this House. These appropriations bills live within the confines of the budget that was passed within this House. Now, I can't say that's always been the case here. As we look back over the last 4 years prior to my coming here, that was definitely not the case in regards to living within a budget, living within our means.

Mr. Speaker, I've heard some of my colleagues on the other side of the aisle complain about certain provisions in the underlying appropriations bills. Once again, I'd just like to remind our colleagues this is not the 111th Congress that you're used to. The beauty is that you have an open amendment process, one that did not exist in the last Congress. So you can offer whatever amendment you want as it relates to any of these issues—strike it, defund it, do whatever you want to it. You can do that on this floor. That's why we have the open amendment process.

Remember, it's different than it was in the 111th Congress—at least that's what I've read. You know, you get to vote on the issues that are important to the American people. I hope that anyone who opposes any one of the underlying bills will join me in supporting this rule because it gives you the ability to actually amend it and craft it in a way that you think is best for this country.

Mr. Speaker, I support this rule and encourage my colleagues to support it as well. We're talking about issues today that already have bipartisan agreement. You hear those on the other side of the aisle talk about issues that are in these appropriations bills, but they passed out of committee unanimously. Democrats and Republicans alike all voted for it unanimously to pass those out of committee. That's pretty telling in regards to what's contained within the appropriations bill. So I can't say it enough: they were passed out of committee unanimously, Democrats and Republicans alike, without dissension.

We're talking about funding the Federal Government, something that is fundamental to what we do, something that we have to do as a Member of Congress. And we're doing it in a fiscally responsible way that provides for our government, our veterans, our Homeland Security, and our intelligence community, while simultaneously taking steps to reduce Federal spending, which is what we have to do.

I commend the Appropriations and Select Intelligence Committees for their diligent, bipartisan work on these four underlying pieces of legislation. I commend Chairman DREIER and my fellow Rules Committee members on bringing these bills to the floor in an open process.

I know that my good friend from Florida likes the open process. We hear about it every time we have a Rules Committee meeting about the open process and the ability to amend it on the floor. "Let the House work its will" is what we talk about, and we have that opportunity. While some may not know how to do that because they just haven't had the experience, we're all in this together. We're learning as we go along what that open process means and allowing Democrats and Republicans alike to come to the floor and debate the issues that they want to make a piece of underlying legislation better.

That's what's good about this whole system. We know it can be better, and we're making sure that the House does work its will in allowing these amendments.

Mr. Speaker, it's about changing how we do business in this House, and we're taking one of the first steps in doing this through our appropriations process and having an open process to allow the ability to submit amendments on the House floor to make all of these pieces of legislation better. That's the goal. I know that's the goal on both sides of the aisle when they submit these amendments—I hope that is. We'll see how the House works its will on all of the amendments.

So I support this resolution, I support the open process, and I encourage my colleagues to do the same. If they want to make a bill better, then offer the amendments on the floor on the three appropriations bills that you have the ability to do it on. Under the structured bill, there are already seven Democratic amendments made in order and two Republican.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 667 OFFERED BY MR. HASTINGS OF FLORIDA

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

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause (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. 1519) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, 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 Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

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

---

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry,

asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

Mr. NUGENT. Mr. Speaker, with that, 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.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 667, if ordered, and suspending the rules and passing H.R. 3541.

The vote was taken by electronic device, and there were—yeas 233, nays 180, not voting 18, as follows:

[Roll No. 297]

YEAS—233

Adams
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
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
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 (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—180

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

NOT VOTING—18

Aderholt
Burton (IN)
Davis (KY)
Doyle
Ellison
Fortenberry
Guinta
Heinrich
Lewis (CA)
Lewis (GA)
Mack
McCarthy (CA)
Pascrell
Rangel
Roby
Slaughter
Velázquez
Young (FL)

□ 1359

Messrs. JACKSON of Illinois, HONDA, LYNCH, GARAMENDI, and Ms. SEWELL changed their votes from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 246, noes 166, not voting 19, as follows:

[Roll No. 298]

AYES—246

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
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw

Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—166

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
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Nadler
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
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
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—19

Burton (IN)
Davis (KY)
Doyle
Ellison
Fortenberry
Guinta
Heinrich
Johnson (GA)
Lewis (CA)
Lewis (GA)
Mack
McCarthy (CA)
Pascrell
Pelosi
Rangel
Roby
Slaughter
Velázquez
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1406

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PRENATAL NONDISCRIMINATION ACT (PRENDA) OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3541) to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. FRANKS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 246, nays 168, not voting 17, as follows:

[Roll No. 299]

YEAS—246

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

NAYS—168

Ackerman
Amash
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Hayworth
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján

Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
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
Sires
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Burton (IN)
Chandler
Doyle
Ellison
Fortenberry
Guinta
Heinrich
Lewis (CA)
Mack
McCarthy (CA)
Napolitano
Pascrell
Rangel
Roby
Slaughter
Velázquez
Young (FL)

□ 1414

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, on May 31, 2012, I missed the three rollcall votes of the day.

Had I been present I would have voted: "no" on rollcall vote 297, Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 5743, H.R. 5854, H.R. 5325, and H.R. 5855; "no" on rollcall vote 298, H. Res. 667, Rule providing for consideration of H.R. 5743—Intelligence Authorization Act for Fiscal Year 2013, H.R. 5854—Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2013, H.R. 5325—Energy and Water Development and Related Agencies Appropriations Act, 2013 and H.R. 5855—Department of Homeland Security Appropriations Act, 2013; "no" on rollcall vote 299, H.R. 3541, The Prenatal Nondiscrimination Act (PRENDA) of 2012.

## INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2013

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 5743.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 667 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5743.

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

□ 1418

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. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. YODER 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 Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, I first wish to make an announcement with respect to the availability of the classified annex to the bill for the Members of the House. This is to reinforce a previous announcement made to Members by the Committee on Rules on May 23, 2012, and an informal announcement by leadership.

□ 1420

Mr. Chairman, the classified Schedule of Authorizations and the classified annex accompanying the bill remain available for review by Members at the offices of the Permanent Select Committee on Intelligence in room HVC–304 of the Capitol Visitors Center. The committee office will open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House.

I recommend that Members wishing to review the classified annex contact the committee's director of security to arrange a time and date for that viewing. This will assure the availability of committee staff to assist Members who desire assistance during their review of these classified documents.

Mr. Chairman, we're especially pleased with this year's fiscal 2013 Intelligence authorization bill and its presence here on the floor today. This will be our third authorization since I assumed the chairmanship and my colleague, Mr. RUPPERSBERGER, assumed the ranking member position on the House Intelligence Committee.

The bill is a vital tool for congressional oversight of the intelligence community's classified activities and is critical to ensuring that our intelligence agencies have the resources and authorities they need to do their important work.

The Intelligence authorization bill funds U.S. intelligence activities spanning 17 separate agencies. This bill is significantly below last year's inactive budget, but up modestly from the President's roughly $72 billion in the unclassified number budget request for fiscal year 2013. It is also completely in line with the House budget resolution, which provides for a modest increase of defense activities above the President's budget.

The FY13 bill sustains our current intelligence capabilities and provides for the development of future capabilities, all while achieving significant savings and ensuring the intelligence agencies are being good stewards of the taxpayers' dollars. The U.S. intelligence community plays a critical role in the war on terrorism and securing the country from many threats that we face. Effective and aggressive congressional oversight is essential to ensuring continued success in the intelligence community. The current challenging fiscal environment demands the accountability and financial oversight of our classified intelligence programs that can only come with an Intelligence authorization bill.

The bill's comprehensive classified annex provides detailed guidance on intelligence spending, including adjustments to costly but important programs. The bill funds requirements of the men and women of the intelligence community, both military and civilian, many of whom directly support the war zones and are engaged in other dangerous operations designed to keep America safe.

It provides oversight and authorization for vital intelligence activities, including global counterterrorism operations such as the one that took out Osama bin Laden; efforts by the National Security Agency to defend us from advance foreign state-sponsored cyberthreats; countering the proliferation of weapons of mass destruction; global monitoring of foreign militaries and advanced weapons tests; and research and development of new technology to maintain our intelligence agencies' technological edge, including work on code breaking and spy satellites.

To stay competitive amidst declining budgets, the IC must wring out cost in all realms of operations—collection, processing, analysis, logistics, and ''back office'' operations. This bill promotes operating efficiencies in a number of areas, particularly in information technology, the ground processing of satellite data, and the intelligence, surveillance, and reconnaissance departments. The bill holds personnel levels, one of the biggest cost drivers, at last year's levels. Even so, the bill adds a limited number of new personnel positions for select, high-priority positions, such as FBI surveillance officers to keep watch on terrorists.

The bill contains additional funding for intelligence collection programs, including increased counterintelligence to thwart foreign spies. The bill also increases funding for our intelligence community's comparative advantage—cutting-edge research and development.

While we're on the subject of funding our intelligence agencies, I think I would be remiss if we didn't briefly discuss the looming threat of sequestration and the devastating consequences it would have for our vital intelligence operations. The intelligence community and the congressional intelligence oversight committees have worked together over the last year, in recognition of the current challenging fiscal environment, to find efficiencies in the intelligence budget. And we've done that. We've actually done more in certain areas by finding efficiencies in other areas and reducing the overall cost of our 17 agencies.

Unlike the dangerous, across-the-board cuts of the 1990s, however, these funding cuts were carefully selected to ensure that no important operational intelligence capabilities were impacted. Let me be clear: The intelligence community has given until it hurts to produce better budget efficiencies, but we have done this without adversely affecting the mission, which is critically important.

All of this careful work, however, will have been done for nothing if Congress doesn't avert the sequestration train wreck. Sequestration will require a devastating cut to defense spending that will also entail dangerous across-the-board reductions in intelligence funding. The across-the-board nature of the sequester means that there is very little discretion left to our intelligence agencies on how to apportion these reductions.

Let me give you just a few examples of the dangerous impact this would have. Thousands of intelligence officers and specialized technicians will be laid off, to include those working around the world, and around the clock, to stop terrorist plots before they arrive on U.S. shores. The National Security Agency would have to significantly reduce its ability to intercept, translate, and analyze terrorist communications about their plans to attack the United States and Western targets. This would significantly reduce our odds of detecting and disrupting those terrorist plots. Intelligence community support to our soldiers and marines in harm's way in Afghanistan would significantly be curtailed. Also, the National Geospatial-Intelligence Agency would be forced to cut back the number of satellite images that it analyzes, reducing our odds of detecting significant foreign military activity, such as North Korean preparations for an attack on our troops in South Korea.

Our intelligence agencies and the important work they do is our first line of defense against the many threats around the world to our national security. Sequestration would be dangerous and irresponsible for many reasons, not the least of which is the threat to those vital intelligence capabilities, and Congress must act to avoid it. The House has put an offer on the table that would avert this disaster. We passed a bill earlier this month with responsible spending reforms that will bring down the debt without endangering our national security. I urge my colleagues in the Senate to take up this bill without further delay.

The bipartisan fiscal year 2013 Intelligence authorization bill preserves and advances national security and is also fiscally responsible. We have proven it can be done. The secrecy that is a necessary part of our country's intelligence work requires that the congressional Intelligence Committees conduct strong and effective oversight on behalf of the American people. That strong and effective oversight is impossible, however, without an annual Intelligence Authorization bill.

I want to thank all of the members on the committee for their bipartisan effort to find agreement on a bill that saves money and moves forward smartly on protecting the interests of national security for the United States.

I reserve the balance of my time.

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

I rise today in support of the Intelligence Authorization Act for Fiscal Year 2013. It is a bipartisan bill that gives our intelligence professionals the resources, capabilities, and the authorities they need to keep our country safe. When Chairman ROGERS and I took over the leadership of the Intelligence Committee, we made a commitment to bipartisanship. We believe politics has no place on the Intelligence Committee. The stakes are just too high.

We also made a commitment to passing intelligence budgets to give the intelligence community financial direction and to conduct proper oversight. I commend Chairman ROGERS for making this an open process where we reached agreement on issues that will make this country safer and the intelligence process more efficient.

But we also know we're facing tough economic times so we must use every dollar wisely. This budget is about 4 percent below the enacted levels for FY 2012. It holds personnel at last year's levels and authorizes an initiative to achieve major efficiencies and improve performance and information technology. We made cuts where appropriate, eliminated redundancies, and pushed programs to come in on time and on budget.

The bill allocates resources to critical national security priorities: space, cybersecurity, counterintelligence, and counterterrorism.

We restored some of the cuts to commercial satellite imagery to ensure the warfighter and policymakers have the images they need. I believe commercial competition is important to ensure the warfighter and other policymakers get high-quality products while keeping costs down. It drives innovation and provides a much-needed policy in case there are problems with other government problems.

□ 1430

The bill reinforces cybersecurity by protecting the intelligence community's networks from countries like China and others trying to steal our valuable data.

The bill also makes counterintelligence a priority by increasing surveillance of foreign spies from countries like China, Russia, and Iran.

The bill improves supply-chain security and adds the counterintelligence analysts this Nation needs.

The bill enhances counterterrorism efforts to continue the fight against al Qaeda and its affiliates around the world.

The bill increases oversight on the spending of domestic intelligence agencies.

The bill also expands the intelligence community's capabilities around the global to ensure the United States is capable and ready to address the threats worldwide.

The bill authorizes the Defense Clandestine Service created by the Department of Defense to reorganize its human intelligence collection and partner with the CIA's National Clandestine Service.

The Democrats on the House Intelligence Committee remain committed to giving our intelligence professionals what they need to do their jobs while also providing proper oversight and protecting personal privacy.

Provisions offered by the minority members were accepted as part of the chairman's mark and other amendments were adopted unanimously by the committee.

Congresswoman SCHAKOWSKY introduced an amendment that protects the inspector general of an intelligence agency from across-the-board cuts to preserve their role as a watchdog of an organization. I commend Ms. SCHAKOWSKY for her good work on this bill.

Congressman THOMPSON introduced an amendment to expand our efforts to prevent drug cultivation on Federal lands. I commend Mr. THOMPSON for his efforts on this bill as well.

In fact, we wouldn't be here today without the hard work of all of the members of the Intelligence Committee. This is truly a bipartisan product. The bill passed through markup by a margin of 19–0, a true testament to the bipartisan spirit of the committee.

I urge my colleagues to support the Intelligence Authorization Act for 2013. This bill ensures the Nation's intelligence community is effective, fiscally sound, and subject to appropriate oversight.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to a distinguished member of the committee, the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, today is another milestone in our work to conduct strong oversight of the intelligence community. In just under 2 years as chairman and ranking member, the gentleman from Michigan and

the gentleman from Maryland have proven that the Intelligence Committee is now really not just a bipartisan committee, but I think more importantly a nonpartisan committee, which is why this bill passed out of committee 19–0.

During these austere times, it is also important to not only sustain our Nation's intelligence capabilities and provide for future needs, but to do so in a fiscally responsible way. This bill achieves significant savings by holding the line on authorizing spending below last year's levels—curbs unnecessary personnel growth—and targets intelligence investments. Included in this bill are the tools necessary to reduce operational costs of the intelligence community's front-line operators and provisions to conduct a house cleaning of ''back office'' operations.

Moreover, this bill ensures that acquisitions are done on cost and on schedule while still expanding the IC community's comparative advantage of cutting-edge research and technology.

One of the critical gaps this bill fixes is with structural deficiencies in the CIA Inspector General's Office. We are taking steps to allow the CIA to better recruit and retain a professional staff of investigators. This is done by allowing the IG to designate certain positions as law enforcement officers for retirement purposes.

Mr. Chairman, it is critical that the Congress demand accountability and financial oversight of our classified intelligence programs. That can only be done through consistent passage of an intelligence authorization bill. I urge all Members to support the bill before us today.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 4 minutes to my distinguished colleague from the State of California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman for yielding, and I also thank the chairman and the ranking member for making sure that we're able to work together to produce a document that will benefit the entire country in regard to our national security, and I rise in strong support of this year's Intelligence authorization bill.

As the ranking member of the Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, I'm pleased that we're able to put this product forward, and I strongly support the bill's emphasis on developing stronger counterintelligence capabilities throughout the intelligence community.

Every time I travel overseas to observe operating conditions, I've been impressed by the work being done by our intelligence personnel, but also concerned about the increasing threats and challenges that we face. Today, our intelligence officers are facing increasingly hostile foreign intelligence services, insurgent groups, terrorists organizations, industrial spies, and the threat of cyberattacks. Many of our adversaries are working together in ways we haven't seen before. This is no longer the Cold War world with little cameras and secret compartments. It's now more complicated to find out how our enemies are getting intelligence on the United States and how these same enemies are protecting their own secrets.

To address this threat, this bill provides additional resources to enable our intelligence community to collect better information and provide better analysis on how our adversaries are working against us.

Second, since the emergence of the Arab Spring, our subcommittee has been examining how the intelligence community has been identifying the types of trends that have literally transformed countries overnight, countries like Tunisia and Egypt.

I've heard firsthand from our intelligence personnel that they need more to better get a handle on the dynamics in their countries and their regions. The Arab Spring phenomenon can happen anywhere anytime, and our intelligence community must be better prepared the next time. This bill enables the intelligence community to rebuild its global mission by realigning and adding to its current resources dedicated to this collection effort. With these resources, intelligence personnel will have more tools to identify and report signs of instability in real-time.

This bill also includes a number of other provisions that I believe are important to our national security. The bill requires the Director of National Intelligence to continue compiling threat assessment of foreign drug traffickers that are turning our public lands in the United States into hostile areas to further their operations. This threat assessment was first required in last year's authorization; and given the scope of the problem, it's essential that our efforts to combat foreign drug traffickers on our Federal property be continued.

Also, the bill restores funding for the National Gang Intelligence Center. The analysis that the NGIC has provided on the growing gang influence in the U.S. military, for example, is critical to finding an adequate solution to this problem and the very reason Congress created the NGIC in the first place. It's important that this work continue.

I am a little disappointed that we weren't able to do some things that we all believe are necessary. For example, the expansion of the Science, Technology, Engineering and Math cooperative programs at colleges and universities is extremely important; and I think we need to continue to do more to make sure that we're able to grow that resource.

Mr. Chairman, our intelligence community must be prepared for any and all threats. While Osama bin Laden may no longer pose a direct threat to our country's safety and security, the remaining elements of al Qaeda and other emerging terrorist organizations are more determined than ever. It's critical for Congress to pass this bill, and I strongly support that we do so today.

Mr. ROGERS of Michigan. Mr. Chairman, I would yield 2½ minutes to the gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. Mr. Chairman, I want to first start by commending Chairman ROGERS and Ranking Member RUPPERSBERGER for their great work on crafting this bipartisan bill, a strong piece of legislation that addresses some tremendously important issues that face our country.

While this legislation in its detail—and we've heard the chairman speak about it—talks about new initiatives and programs and three-letter Agencies, this is about something different from that. This is about protecting the American people. This is about keeping the citizens of El Dorado and Coffeyville and Wichita and Anthony, Kansas, safe against a staggeringly large and very real threat.

On September 11, now over a decade ago, we began to enter a very different time, very different war. Now 15 years ago, I was serving in the military. I served along the East German border. Then it was different. We could see the enemy. They wore uniforms. There were fences and boundaries. And today, we live in a very, very different world. And this legislation, the 2013 Intelligence bill, attempts to, in a fiscally responsible way while protecting the privacy of every American citizen in a conscientious way, address those very real threats.

□ 1440

It is easy sometimes to forget—to forget from a decade ago and forget that al Qaeda is still there, active and trying, fighting vigorously to take down the American way of life. And to see this thoughtful piece of legislation put together in a way that both parties could agree to, that both parties could say this makes sense, these are the resources we have available, we're going to do this in a fiscally prudent way, is something that I think should encourage each of us and cause every Member to support this legislation.

We can't allow anyone to forget that this threat is real. The gravity and consequences of not having an active and capable intelligence set of agencies and forces is too important. I know the chairman and ranking member both understand this, and I want to thank them for their work. I want to encourage each and every one of my colleagues to support the FY 2013 Intelligence Authorization bill.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 2 minutes to my distinguished colleague from the State of Rhode Island (Mr. LANGEVIN), whom I consider one of the foremost experts in the area of cybersecurity. Thank you for your work in that field, Mr. LANGEVIN.

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

Mr. LANGEVIN. I thank the gentleman for yielding.

I thank both Chairman ROGERS and Ranking Member RUPPERSBERGER for their outstanding work on this very important legislation and so many aspects contained in it.

Last September, I proudly spoke in support of the fiscal year 2012 Intelligence authorization bill because it addressed critical cybersecurity needs as well as many issues of great importance, not just to me but to our country and to the men and women of our intelligence services. I was pleased to be a part of a bipartisan effort within the Intelligence Committee to craft that legislation and gratified by the overwhelming bipartisan support that it garnered.

Earlier this year, the House considered the Cyber Intelligence Sharing and Protection Act, which also received bipartisan support and, in my opinion, is a critical first step to confront the serious challenges our Nation faces in the realm of cybersecurity.

Now, I continue to advocate for action on CISPA and on the comprehensive cybersecurity legislation that will ultimately be necessary to address this issue, but today I'm proud to support H.R. 5743, the fiscal year 2013 Intelligence authorization bill because it builds on these earlier efforts to give the U.S. intelligence community the tools and funding it needs to meet the challenges of the future. Just as importantly, it supports the men and women of the intelligence community who enable those investments and keep our Nation secure.

The National Counterintelligence Executive recently warned that China and Russia are conducting sophisticated cyberespionage against the U.S., in addition to more traditional espionage operations. They and other countries seek to undermine our military, technological, and innovative edge by exploiting our vulnerabilities in the cyber realm, in particular, our critical infrastructure. This situation presents a pervasive threat to U.S. economic security, and I'm very sad to say that they're having success.

The estimates on the losses to U.S. industry and government from economic espionage range from $2 billion to over $400 billion a year. Now, this massive spread only emphasizes that we don't yet have the information we need to fully understand and combat this threat.

The CHAIR. The time of the gentleman has expired.

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

Mr. LANGEVIN. The National Counterintelligence Executive cautions that the intelligence community can't entirely prevent cybertheft of national and industrial secrets, but the community can minimize the hostile activity and mitigate the effects. Those efforts will be more successful if the agencies collaborate, build public-private partnerships, and improve intelligence collection and analysis of the cyberthreat to our country.

The FY 2013 bill responds by giving the intelligence agencies the resources they need to develop a strong, unified effort to counter China, Russia, and other actors that might threaten our economic security or technological edge. The bill also does a lot to protect our supply chain, which is another area of vulnerability.

This is a good bill, it's an important bill, and I urge my colleagues to support it.

Mr. ROGERS of Michigan. Mr. Chairman, I'll reserve my time.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 2 minutes to my distinguished colleague from the State of California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding, and I want to rise to congratulate our chairman, Mr. ROGERS, and our ranking member, Mr. RUPPERSBERGER, for their extraordinary work in putting this bill together, and the incredible and bipartisan operation of the committee. This work product and the committee operations I think were a model that many of the rest of the committees on the Hill would do well to follow.

I rise in strong support of H.R. 5743, an authorization bill that gives our intelligence community the tools they need to keep America safe.

I'd like to focus on the technical aspects of the bill, specifically the intelligence community's future investments in key overhead technologies. This is a good bill, as it makes necessary budget cuts without affecting the mission of the intelligence community. And there is one issue in particular I would like to highlight.

Since 9/11, we have been investigating the potential advantages of persistent video. Current systems that simply snap pictures miss critical dynamics of the adversary. Standard pictures limited to capturing isolated points in time can't tell where a bad actor came from or where they went after they committed an act of terror.

Hypothetically consider: What if we could use a video and video a hostile area 24 hours a day, 365 days a year, and during this period a roadside bomb occurred? With a variety of capabilities, we could simply rewind and watch the perpetrators as they planted the device and trace their locations both before and after the device exploded. Independent of the source—whether space, ground, or air—we simply can't do that with still photography. Similarly, such a capacity might help us identify proliferators of nuclear and missile technology.

I favor an approach that invests in new technologies that go beyond our past and present capabilities. In my role as ranking member for the Technical and Tactical Subcommittee, I work to ensure that cost, schedule, and performance are met as we strive to explore this potential advantage for national security.

Mr. Chairman and Ranking Member, again, I want to thank you for the opportunity to express my views on this bill. I support it wholeheartedly and recommend its passage.

Mr. ROGERS of Michigan. Mr. Chairman, I continue to reserve my time.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 3 minutes to my distinguished colleague from the State of Kentucky (Mr. CHANDLER).

Mr. CHANDLER. First, I want to start by saying just how wonderful it is to be a part of a committee that actually works well together, and I thank Chairman ROGERS and Ranking Member RUPPERSBERGER for that. In this place these days, it seems a bit unusual, but on this committee, in my view, they are not Republicans and Democrats; there are patriots and Americans, and I appreciate that.

I'm proud to support this bill, the Intelligence Authorization Act for Fiscal Year 2013. This bill authorizes vital funding for our intelligence activities which we need to protect America and American interests.

Congress has an obligation to support intelligence gathering while also protecting our civil liberties and considering our fiscal responsibilities. I believe this bill does just that, ensuring that we have resources and tools needed to keep our country safe even in this tough economic time.

We live in complicated times, when terrorists can execute a cyberattack from halfway around the world, bringing down a nation's infrastructure or compromising individuals' identities and bank accounts. Now, more than ever before, our intelligence capabilities are critical to the safety and security of our country.

In my tenure on the Intelligence Committee, I've had the privilege of working with the fine men and women of the intelligence community, and I'm here to tell you they are committed patriots who protect our Nation and our way of life every day. I cannot overstate how important the work they do is to the safety of our Nation.

This bill, which passed out of the committee with overwhelming bipartisan support, allocates resources to critical national programs, including those that detect, prevent, and disrupt terrorist attacks against Americans. It enhances counterterrorism efforts to continue the fight against al Qaeda and its affiliates around the world. Furthermore, this bill shows the committee's commitment to giving our intelligence professionals what they need to do their jobs while providing oversight and protecting personal privacy.

The world just saw how first-rate our intelligence community is after the successful mission to kill Osama bin Laden last year. This legislation ensures that we can continue to have the world's premiere intelligence capabilities.

Again, I thank the chairman and I thank the ranking member for the tremendous way that they cause the committee to work together. It's an honor

to serve on this committee, and I thank you.

□ 1450

Mr. ROGERS of Michigan. Mr. Chairman, I continue to reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, can I ask how much time each side has remaining?

The CHAIR. The gentleman from Maryland has 15 minutes remaining. The gentleman from Michigan has 18 minutes remaining.

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

Mr. ROGERS of Michigan. Mr. Chairman, I have one more speaker who is on his way to the floor, I understand, so I continue to reserve the balance of my time.

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

I'm proud that the bill under consideration has an emphasis on supporting counterintelligence resources. Last year, the chairman and I made it a priority to review the community's counterintelligence posture after learning more about the aggressive ways foreign intelligence and security services continue to steal U.S. secrets, including trade secrets, from U.S. companies.

One of the most disturbing reports came from the National Counterintelligence Executive which said that Russia and China are both aggressively utilizing cyberspace to steal U.S. economic secrets. This informative unclassified report is available on the Director of National Intelligence Web site. I encourage every U.S. business to read it to understand the threat they face today. The hard work and money it takes to innovate and conduct research are all at risk.

What China, Russia, and any other country who engage in espionage realize is that it's faster and cheaper to steal U.S. creativity than to develop it themselves. The report also gives examples of the millions of dollars that are at stake, like a single proprietary paint formula from Valspar valued at $20 million. These are some economic impacts of espionage, but they are also the cost to our national security and those of our allies.

A spy within our intelligence community, with access to our most sensitive secrets, can mean the lives of our sources and our troops. In these cases, it is impossible to calculate the impact. Espionage is countered by the villages of our counterintelligence professionals. These are the people we depend upon to discover the spies within our midst. I'm proud that this bill adds the resources and personnel for this critical mission.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. HECK).

Mr. HECK. Mr. Chairman, I rise today in support of H.R. 5743, the Fiscal Year 2013 Intelligence Authorization Act.

This bill strikes the appropriate balance between the necessity for fiscal restraint and providing our intelligence community the resources they need so that they can continue to play a vital role in our national security. This is especially true in the technical collection systems that are the focus of the Subcommittee on Technical and Tactical Intelligence.

H.R. 5743 puts the focus on how well our entire technical collection architecture systems work together. In the past, we have had a tendency to focus on a few large acquisition programs and not on the total capability that all systems bring to the nation. This bill leverages advancements in technology by making changes that are focused on ensuring collection platforms work together to simultaneously collect and correlate data.

Additionally, through funding for the National Geospatial-Intelligence Agency programs, this bill incrementally advances the ability to coordinate collection across a diverse set of collection platforms that are fielded by the intelligence and military communities.

H.R. 5743 also takes an important first step toward reducing the cost of launch, and encourages the further development of commercial launch services. While the cost of getting to space has not traditionally been the focus of the intelligence community, these essential reforms will allow us to reallocate these savings to our Nation's core intelligence missions.

Mr. Chairman, again I urge support of H.R. 5743. I thank the chairman and the ranking member for their leadership on this issue.

Mr. RUPPERSBERGER. Mr. Chairman, I yield myself as much time as I may consume.

For the third time in 3 years, Chairman ROGERS and I have stood on the floor of the House encouraging our colleagues to support our intelligence budget bill. We both rise in support of the Intelligence Authorization Act for Fiscal Year 2013. I would like to thank Chairman ROGERS for his bipartisan leadership on this bill.

The bill gives our intelligence professionals the resources, capabilities, and authorities they need to protect American and American interests. We crafted a bill that addresses our core needs, including space, cybersecurity, counterintelligence, and counterterrorism, while also keeping an eye on the bottom line. This bill is about 4 percent below last year's budget and holds personnel at last year's levels.

The Intelligence Committee came together as Democrats and Republicans to do what is right for our country and for the intelligence community. The bill unanimously passed out of our committee by a margin of 19–0.

I would also like to thank the staff of the Intelligence Committee for their hard work on this bill. You're only as good as your team and your staff.

I urge my colleagues to support the Intelligence Authorization Act for FY 2013.

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

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself as much time as I may consume.

I, too, want to thank the ranking member for his bipartisan leadership on this very, very important issue, our national security, and the staffs of both committees. We did something very unusual. We have the staffs work together to produce an authorization bill, and we think it makes a much better product with a lot more voices in the mix. We think we have gotten to a place that will protect America and save money for the taxpayers. That's a good place to be.

And at the end of the day, this is about a very serious issue. It's about the fact that we have folks all around the world who are getting up in the morning trying to commit acts of violence against U.S. citizens or our allies. It's about nation-states who want to steal the very prosperity of America by stealing our intellectual property through spying or cyberspying. It's about nation-states who are making an investment in cyberattack capability that would actually cause catastrophic harm to the United States economy. It is about nation-states who are engaged in the development of nuclear weapons for certainly no good purpose.

In the nineties we had a peace dividend because the structure of the threat changed fundamentally, and we could rearrange the way we looked at the world and our defense posture and our national security posture around the world. And I think this is a good moment to caution where we go in the future.

This is not like the nineties. We don't enjoy the same peace dividend in the sense that the world is more complicated and, in many ways, more dangerous than it has ever been before. Those intelligence services are getting aggressive. Our adversaries are getting better. They are investing in space and cyber in a way that is breathtaking if we don't keep pace. We don't have to spend dollar for dollar, but we do have to match intellectual capital with the solutions that we need to keep America safe.

The very brave men and women who risk their lives all over the globe to protect our soldiers by providing them state-of-the-art and up-to-date information, or by recruiting somebody in a very dangerous place somewhere else that might give us that little bit of advantage in knowing what our adversaries are up to, we owe a great debt of gratitude to those very brave Americans who risk their lives every single day in defense of this Nation. They are silent and quiet warriors, but deserve no less of our appreciation and gratitude for faithful service to this great Nation.

This bill reflects that, and it reflects the important status that we are going

to have to take in the intelligence community when it comes to protecting America in what is promising to be a dangerous future when it comes to our adversaries. This bill, we think, takes head-on those new challenges, so that America can be equally prosperous in the future and as safe as we have ever been.

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

Ms. RICHARDSON. Mr. Chair, today I rise in support of H.R. 5743, the Intelligence Authorization Act for Fiscal Year 2013. This bipartisan bill, which was reported by the Permanent Select Committee on Intelligence by a unanimous 19–0 vote, provides funding and policy guidance to the America's intelligence community. Few bills are as important to our nation's security as this one.

H.R. 5743 provides the necessary resources to vital security programs, many of which focus on detecting and preventing terrorist attacks. It is critical that America maintains its qualitative security edge with respect to intelligence gathering, data analysis, and counterterrorism. This bill would ensure that happens.

I recognize that given these challenging economic circumstances, difficult choices have to be made. This has led the Committee to authorize funding for intelligence activities at level that is four percent below last year's enacted budget. I appreciate the way Chairman ROGERS and Ranking Member RUPPERSBERGER have worked together in an effort to fashion a bill that strikes an appropriate balance.

The committee has made fiscally responsible choices when deciding where to cut funding, eliminating redundancies and directing that other programs be managed more efficiently.

Mr. Chair, for obvious reasons many of the programs authorized by this legislation cannot be discussed publicly. However, these programs are subjected to congressional oversight and scrutiny by the Intelligence Committee, which takes seriously obligation to ensure that the programs authorized under this legislation and the officials who administer them operate within constitutional and legal bounds.

I am pleased that the bill also contains provisions to strengthen the protection of the identities of covert agencies, to combat attempts by other countries to buy technology that could be used to develop weapons of mass destruction, and to enhance our counterterrorism efforts. As a member of the Committee on Homeland Security I know how important it is to make counterintelligence and counterterrorism efforts priorities.

It is a sad truth that we live in an age where our most pressing concern is the imminent threat of another terrorist attack. Our enemy does not respond to logic or reason, and therefore we must be prepared for every situation.

Mr. Chair, I support this bill because I am persuaded that it furthers the nation's security interests and is the right thing to do. I urge my colleagues to join me in voting for H.R. 5743.

The CHAIR. All time for general debate has expired.

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

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

H.R. 5743

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

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2013''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

*Sec. 1. Short title; table of contents.*
*Sec. 2. Definitions.*

*TITLE I—INTELLIGENCE ACTIVITIES*

*Sec. 101. Authorization of appropriations.*
*Sec. 102. Classified Schedule of Authorizations.*
*Sec. 103. Personnel ceiling adjustments.*
*Sec. 104. Intelligence Community Management Account.*

*TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM*

*Sec. 201. Authorization of appropriations.*

*TITLE III—GENERAL PROVISIONS*

*Sec. 301. Increase in employee compensation and benefits authorized by law.*
*Sec. 302. Restriction on conduct of intelligence activities.*
*Sec. 303. Non-reimbursable details.*
*Sec. 304. Strategy for security clearance reciprocity.*
*Sec. 305. Repeal or modification of certain reporting requirements.*

*TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY*

*Sec. 401. Clarification on authority of CIA to transfer funds to CIA activities authorized by law.*
*Sec. 402. Authorities of the Inspector General for the Central Intelligence Agency.*
*Sec. 403. Working capital fund.*
*Sec. 404. Intelligence community assistance to counter drug trafficking organizations using public lands.*

*TITLE V—OTHER MATTERS*

*Sec. 501. Extension of National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.*
*Sec. 502. Technical amendment to title 5, United States Code.*
*Sec. 503. Technical amendment to the National Security Act of 1947.*

***SEC. 2. DEFINITIONS.***

*In this Act:*

*(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—*

*(A) the Select Committee on Intelligence of the Senate; and*

*(B) the Permanent Select Committee on Intelligence of the House of Representatives.*

*(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).*

***TITLE I—INTELLIGENCE ACTIVITIES***

***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

*Funds are hereby authorized to be appropriated for fiscal year 2013 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:*

*(1) The Office of the Director of National Intelligence.*
*(2) The Central Intelligence Agency.*
*(3) The Department of Defense.*
*(4) The Defense Intelligence Agency.*
*(5) The National Security Agency.*
*(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.*
*(7) The Coast Guard.*
*(8) The Department of State.*
*(9) The Department of the Treasury.*
*(10) The Department of Energy.*
*(11) The Department of Justice.*
*(12) The Federal Bureau of Investigation.*
*(13) The Drug Enforcement Administration.*
*(14) The National Reconnaissance Office.*
*(15) The National Geospatial-Intelligence Agency.*
*(16) The Department of Homeland Security.*

***SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.***

*(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2013, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 5743 of the One Hundred Twelfth Congress.*

*(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—*

*(1) AVAILABILITY TO COMMITTEES OF CONGRESS.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.*

*(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.*

*(3) LIMITS ON DISCLOSURE.—In carrying out paragraph (2), the President may disclose only that budget-related information necessary to execute the classified Schedule of Authorizations and shall not disclose the Schedule or any portion of the Schedule publicly.*

***SEC. 103. PERSONNEL CEILING ADJUSTMENTS.***

*(a) AUTHORITY FOR INCREASES.—With the approval of the Director of the Office of Management and Budget, the Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2013 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such Schedule for such element.*

*(b) AUTHORITY FOR CONVERSION OF ACTIVITIES PERFORMED BY CONTRACT PERSONNEL.—*

*(1) IN GENERAL.—In addition to the authority in subsection (a) and subject to paragraph (2), if the head of an element of the intelligence community makes a determination that activities currently being performed by contract personnel should be performed by employees of such element, the Director of National Intelligence, in order to reduce a comparable number of contract personnel, may authorize for that purpose employment of additional full-time equivalent personnel in such element equal to the number of full-time equivalent contract personnel performing such activities.*

*(2) CONCURRENCE AND APPROVAL.—The authority described in paragraph (1) may not be exercised unless the Director of National Intelligence concurs with the determination described in such paragraph.*

*(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).*

**SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.**

*(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2013 the sum of $530,652,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2014.*

*(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 831 full-time or full-time equivalent personnel as of September 30, 2013. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.*

*(c) CLASSIFIED AUTHORIZATIONS.—*

*(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2013 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2014.*

*(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2013, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).*

## TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

**SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

*There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2013 the sum of $514,000,000.*

## TITLE III—GENERAL PROVISIONS

**SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.**

*Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.*

**SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.**

*The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.*

**SEC. 303. NON-REIMBURSABLE DETAILS.**

*Section 113A of the National Security Act of 1947 (50 U.S.C. 404h–1) is amended—*

*(1) by striking ''An officer or employee of the United States or member of the Armed Forces'' and inserting ''(a) CIVILIAN EMPLOYEES.—An officer or employee of the United States'';*

*(2) by striking the second sentence; and*

*(3) by adding at the end the following new subsections:*

*''(b) MEMBERS OF THE ARMED FORCES.—A member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the National Intelligence Program on a non-reimbursable basis, as jointly agreed to by the head of the receiving and detailing elements, for a period not to exceed three years.*

*''(c) NO LIMITATION ON OTHER AUTHORITY.—This section does not limit any other source of authority for or non-reimbursable details.*

*''(d) NO EFFECT ON APPROPRIATIONS.—A non-reimbursable detail made under this section shall not be considered an augmentation of the appropriations of the element of the intelligence community receiving such detail.''.*

**SEC. 304. STRATEGY FOR SECURITY CLEARANCE RECIPROCITY.**

*(a) STRATEGY.—The President shall develop a strategy and a timeline for carrying out the requirements of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b(d)). Such strategy and timeline shall include—*

*(1) a process for accomplishing the reciprocity required under such section for a security clearance issued by a department or agency of the Federal Government, including reciprocity for security clearances that are issued to both persons who are and who are not employees of the Federal Government; and*

*(2) a description of the specific circumstances under which a department or agency of the Federal Government may not recognize a security clearance issued by another department or agency of the Federal Government.*

*(b) CONGRESSIONAL NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the President shall inform Congress of the strategy and timeline developed under subsection (a).*

**SEC. 305. REPEAL OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.**

*(a) REPEAL OF REPORTING REQUIREMENTS.—*

*(1) ACQUISITION OF TECHNOLOGY RELATING TO WEAPONS OF MASS DESTRUCTION AND ADVANCED CONVENTIONAL MUNITIONS.—Section 721 of the Intelligence Authorization Act for Fiscal Year 1997 (50 U.S.C. 2366) is repealed.*

*(2) THREAT OF ATTACK ON THE UNITED STATES USING WEAPONS OF MASS DESTRUCTION AND THE SAFETY AND SECURITY OF RUSSIAN NUCLEAR FACILITIES AND NUCLEAR MILITARY FORCES.—Section 114 of the National Security Act of 1947 (50 U.S.C. 404i) is amended—*

*(A) in the heading, by striking ''ADDITIONAL ANNUAL REPORTS FROM THE DIRECTOR OF NATIONAL INTELLIGENCE'' and inserting ''ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES'';*

*(B) by striking subsections (a), (c), and (d);*

*(C) by striking ''(b) ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.—'';*

*(D) by redesignating paragraphs (1) through (5) as subsections (a) through (e), respectively;*

*(E) in subsection (b) (as so redesignated)—*

*(i) by redesignating subparagraphs (A), (B), and (C), as paragraphs (1), (2), and (3), respectively; and*

*(ii) in paragraph (2) (as so redesignated), by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and*

*(F) in subsection (e) (as redesignated by subparagraph (D)), by redesignating subparagraphs (A), (B), and (C), as paragraphs (1), (2), and (3), respectively.*

*(3) MEASURES TO PROTECT THE IDENTITIES OF COVERT AGENTS.—Title VI of the National Security Act of 1947 (50 U.S.C. 421 et seq.) is amended—*

*(A) by striking section 603; and*

*(B) by redesignating sections 604, 605, and 606 as sections 603, 604, and 605, respectively.*

*(b) MODIFICATION OF REPORTING REQUIREMENTS.—*

*(1) INTELLIGENCE ADVISORY COMMITTEES.—Section 410(b) of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259; 124 Stat. 2725) is amended to read as follows:*

*''(b) NOTIFICATION OF ESTABLISHMENT OF ADVISORY COMMITTEE.—The Director of National Intelligence and the Director of the Central Intelligence Agency shall each notify the congressional intelligence committees each time each such Director creates an advisory committee. Each notification shall include—*

*''(1) a description of such advisory committee, including the subject matter of such committee;*

*''(2) a list of members of such advisory committee; and*

*''(3) in the case of an advisory committee created by the Director of National Intelligence, the reasons for a determination by the Director under section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App) that an advisory committee cannot comply with the requirements of such Act.''.*

*(2) CUSTOMER FEEDBACK ON DEPARTMENT OF HOMELAND SECURITY INTELLIGENCE REPORTING.—Section 210A(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—*

*(A) by inserting ''and the Select Committee on Intelligence'' after ''Committee on Homeland Security and Governmental Affairs''; and*

*(B) by inserting ''and the Permanent Select Committee on Intelligence'' after ''and the Committee on Homeland Security''.*

*(3) INTELLIGENCE INFORMATION SHARING.—Section 102A(g)(4) of the National Security Act of 1947 (50 U.S.C. 403–1(g)(4)) is amended to read as follows:*

*''(4) The Director of National Intelligence shall, in a timely manner, report to Congress any statute, regulation, policy, or practice that the Director believes impedes the ability of the Director to fully and effectively ensure maximum availability of access to intelligence information within the intelligence community consistent with the protection of the national security of the United States.''.*

*(c) CONFORMING AMENDMENTS.—*

*(1) REPORT SUBMISSION DATES.—Section 507 of the National Security Act of 1947 (50 U.S.C. 415b) is amended—*

*(A) in subsection (a)—*

*(i) by striking ''(1) The date'' and inserting ''The date'';*

*(ii) in the matter preceding subparagraph (A), by striking ''subsection (c)(1)(A)'' and inserting ''subsection (c)(1)'';*

*(iii) by striking paragraph (2);*

*(iv) by striking subparagraphs (A) and (C);*

*(v) in subparagraph (G), by striking ''114(c)'' and inserting ''114''; and*

*(vi) by redesignating subparagraphs (B), (D), (E), (F), (G), (H), and (I), as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and*

*(B) in subsection (c)(1)—*

*(i) by striking ''(A) Except as provided'' and inserting ''Except as provided''; and*

*(ii) by striking subparagraph (B).*

*(2) TABLE OF CONTENTS OF THE NATIONAL SECURITY ACT OF 1947.—The table of contents in the first section of the National Security Act of 1947 is amended—*

*(A) by striking the item relating to section 114 and inserting the following new item:*

*''Sec. 114. Annual report on hiring and retention of minority employees.''; and*

*(B) by striking the items relating to sections 603, 604, 605, and 606 and inserting the following new items:*

*''Sec. 603. Extraterritorial jurisdiction.*
*''Sec. 604. Providing information to Congress.*
*''Sec. 605. Definitions.''.*

## TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

**SEC. 401. CLARIFICATION ON AUTHORITY OF CIA TO TRANSFER FUNDS TO CIA ACTIVITIES AUTHORIZED BY LAW.**

*Section 5(a)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f(a)(1)) is amended by striking ''any of the functions or activities authorized under section 104A of the National Security Act of 1947 (50 U.S.C. 403–*

*4a).'' and inserting ''any functions or activities of the Agency authorized by law''.*

***SEC. 402. AUTHORITIES OF THE INSPECTOR GENERAL FOR THE CENTRAL INTELLIGENCE AGENCY.***

*Section 17(e)(7) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403q(e)(7)) is amended—*

*(1) by striking ''Subject to applicable law'' and inserting ''(A) Subject to applicable law''; and*

*(2) by adding at the end the following new subparagraph:*

*''(B)(i) The Inspector General may designate an officer or employee appointed in accordance with subparagraph (A) as a law enforcement officer solely for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, if such officer or employee is appointed to a position in which the duty is to investigate suspected offenses against the criminal laws of the United States.*

*''(ii) In carrying out clause (i), the Inspector General shall ensure that any authority under such clause is exercised in a manner consistent with the provisions of section 3307 of title 5, United States Code, as they relate to law enforcement officers.*

*''(iii) For purposes of applying sections 3307(d), 8335(b), and 8425(b) of title 5, United States Code, the Inspector General may exercise the functions, powers, and duties of an agency head or appointing authority with respect to the Office.''.*

***SEC. 403. WORKING CAPITAL FUND.***

*Section 21 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u) is amended—*

*(1) in subsection (b)(1)—*

*(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon;*

*(B) in subparagraph (C), by striking the period and inserting ''; and''; and*

*(C) by adding at the end the following new subparagraph:*

*''(D) authorize such providers to advertise through Federal Government-owned websites the services of such providers to the entities to which such providers are providing items under the program, provided that the Director shall not authorize such providers to distribute gifts or promotional items.''; and*

*(2) in subsection (c)—*

*(A) in paragraph (2)(E), by striking ''equipment or property'' and inserting ''equipment, recyclable materials, or property''; and*

*(B) in paragraph (3)(B), by striking ''subsection (f)(2)'' and inserting ''subsections (b)(1)(D) and (f)(2)''.*

***SEC. 404. INTELLIGENCE COMMUNITY ASSISTANCE TO COUNTER DRUG TRAFFICKING ORGANIZATIONS USING PUBLIC LANDS.***

*Section 401(b) of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 125 Stat. 1887) is amended in the matter preceding paragraph (1)—*

*(1) by inserting ''and annually thereafter,'' after ''Not later than 180 days after the date of the enactment of this Act,'';*

*(2) by striking ''submit to'' and inserting ''inform'';*

*(3) by striking ''a report on the results'' and inserting ''of the results''; and*

*(4) by striking ''Such report'' and inserting ''Information provided under this subsection''.*

***TITLE V—OTHER MATTERS***

***SEC. 501. EXTENSION OF NATIONAL COMMISSION FOR THE REVIEW OF THE RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY.***

*Section 1007 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 50 U.S.C. 401 note) is amended by striking ''Not later than one year after the date on which all members of the Commission are appointed pursuant to section 701(a)(3) of the Intelligence Authorization Act for Fiscal Year 2010'' and inserting ''Not later than March 31, 2013''.*

***SEC. 502. TECHNICAL AMENDMENT TO TITLE 5, UNITED STATES CODE.***

*Section 3132(a)(1)(B) of title 5, United States Code, is amended by inserting '', the Office of the Director of National Intelligence'' after ''the Central Intelligence Agency''.*

***SEC. 503. TECHNICAL AMENDMENT TO THE NATIONAL SECURITY ACT OF 1947.***

*Section 605 of the National Security Act of 1947 (50 U.S.C. 426) (as redesignated by section 305 of this Act) is amended—*

*(1) in paragraph (4)—*

*(A) in subparagraph (A), by striking ''intelligence agency'' each place it appears and inserting ''element of the intelligence community'';*

*(B) in subparagraph (B)(i), by striking ''intelligence agency'' and inserting ''element of the intelligence community''; and*

*(C) in subparagraph (C), by striking ''intelligence agency'' and inserting ''element of the intelligence community'';*

*(2) by striking paragraph (5);*

*(3) by redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively; and*

*(4) in paragraph (5) (as so redesignated), by striking ''intelligence agency'' and inserting ''element of the intelligence community''.*

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112–504. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–504.

Mr. ROGERS of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule, amendment No. 1.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 401 (page 18, lines 4 through 12).

Strike section 403 (page 19, line 13 through page 20, line 11).

The CHAIR. Pursuant to House Resolution 667, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself as much time as I might consume.

Mr. Chairman, this is a manager's amendment to the bill, and very simply—and I don't want to waste a lot of time on it—it would simply strike two technical provisions to allow us to resolve any potential issues going forward.

There were two technical issues that were deemed by the Parliamentarian as appropriation language. We just wanted to take that language out to make sure that there were no issues. It doesn't change the nature of the bill in any way, and it has bipartisan support. I would urge the body's support of the Rogers amendment.

I yield back the balance of my time.

□ 1500

Mr. RUPPERSBERGER. I rise in opposition to the amendment, but I do support the amendment.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

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

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. THOMPSON OF CALIFORNIA

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–504.

Mr. THOMPSON of California. 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 title III, add the following new section:

**SEC. 306. SUBCONTRACTOR NOTIFICATION PROCESS.**

Not later than October 1, 2013, the Director of National Intelligence shall submit to the congressional intelligence committees a report assessing the method by which contractors at any tier under a contract entered into with an element of the intelligence community are granted security clearances and notified of classified contracting opportunities within the Federal Government and recommendations for the improvement of such method. Such report shall include—

(1) an assessment of the current method by which contractors at any tier under a contract entered into with an element of the intelligence community are notified of classified contracting opportunities;

(2) an assessment of any problems that may reduce the overall effectiveness of the ability of the intelligence community to identify appropriate contractors at any tier under such a contract;

(3) an assessment of the role the existing security clearance process has in enhancing or hindering the ability of the intelligence community to notify such contractors of contracting opportunities;

(4) an assessment of the role the current security clearance process in enhancing or hindering the ability of contractors at any tier under a contract entered into with an element of the intelligence community to execute classified contracts;

(5) a description of the method used by the Director of National Intelligence for assessing the effectiveness of the notification process of the intelligence community to produce a talented pool of subcontractors;

(6) a description of appropriate goals, schedules, milestones, or metrics used to measure the effectiveness of such notification process; and

(7) recommendations for improving such notification process.

The CHAIR. Pursuant to House Resolution 667, the gentleman from California (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMPSON of California. I yield myself such time as I may consume.

My amendment will help small businesses that have the proper security clearances to better navigate the intelligence community's contracting process, and will ensure that they get a fair shot at business opportunities should these companies have the technical expertise and capabilities needed. This change will be good for small businesses and will strengthen our national security.

Second- and third-tier contractors produce highly specialized technology for the intelligence community, but work directly for larger companies. These small businesses have extraordinary talent and expertise, but often find themselves excluded from many business opportunities with the larger intelligence community because, for example, they lack access to the classified databases where these opportunities are presented. Sometimes that access is as simple as a computer connection for cleared experts to review contracting opportunities.

By limiting small businesses that have the appropriate security clearances from these contracting opportunities, we all lose. The intelligence community loses access to the best technical solutions by limiting who is able to fulfill or to even bid for those contracts. Small businesses lose the opportunity to display their expertise and to expand their companies. As important, the taxpayer loses by virtue of a lack of market competition and is given no assurance that the government is getting the best price for its classified contract requirements.

My amendment addresses this problem by requiring an assessment of the IC's current contracting practices and a review of these practices to determine if they present unfair barriers to competition for small businesses. In particular, my amendment requires the Director of National Intelligence to report to Congress how the intelligence community is currently working with second- and third-tier contractors and to identify any problems that may reduce the overall effectiveness of this contracting process. In this report, the DNI will be required to offer recommendations to improve the methods by which second- and third-tier contractors are granted security clearances and notified of classified contracting opportunities.

Mr. Chairman, second- and third-tier contractors who support the technical efforts of the intelligence community are an underutilized asset. These same second-and third-tier contractors are also small businesses that many of our communities depend upon for jobs and for the economies in their local areas. My amendment ensures that the intelligence community is getting access to the best available technology while ensuring that small businesses around the country have a fair shot at expanding their companies.

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

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I rise to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I want to thank Mr. THOMPSON for working with us, not only on the overall bill, but on any amendment that might strengthen the process. I am committed to continue to work with Mr. THOMPSON on these very issues, and I would support the amendment.

I yield back the balance of my time.

Mr. THOMPSON of California. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CONYERS

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–504.

Mr. CONYERS. 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 title III, add the following new section:

**SEC. 306. REPORT ON CONSEQUENCES OF MILITARY STRIKE AGAINST IRAN.**

Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an assessment of the consequences of a military strike against Iran.

The CHAIR. Pursuant to House Resolution 667, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

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

Mr. Chairman and Members, I rise in support of this amendment with my colleagues Mr. ELLISON of Minnesota and Ms. LEE of California. Our amendment would require the Director of National Intelligence to submit to the congressional Intelligence Committee within 60 days a report containing an analysis of the potential consequences of a military strike against Iran.

In recent months, the possibility of a preemptive military strike against Iran has been openly discussed as a policy option of last resort as our country and our allies determine how best to confront the challenge posed by Iran's nuclear program. At the same time, the national discussion has prompted a large number of current and former military and intelligence officials to come forward to encourage the Congress and the administration to consider the possible consequences both intended and others that may be unintended of such a strike.

These high-level officials include former United States and Israeli national security officials, including a former Bush administration National Intelligence Council chairman, a former National Intelligence officer for the Near East and South Asia, General Colin Powell's former chief of staff, five retired generals, the former director of the Israeli Mossad, and a former chief of staff of the Israel Defense Forces.

All of these experts have raised concerns that an attack on Iran could possibly result in serious harm to the global economy, potentially ignite a regional war and even push Iran into building a nuclear weapon. With consequences as serious as these being raised by outside and former national security experts, it is critical that the expertise and collective wisdom of our intelligence community be added to this debate so that our country's policy options involving war and peace can be rigorously examined by this body.

For these reasons, I encourage my colleagues to support my amendment, and I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I rise to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

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

This is an interesting amendment. This is something that we do as a matter of course in the committee, and it is as serious a matter as we consider: issues of war. It is also interesting that the consequences of a nuclear Iran are not a part of this. We would encourage that to happen, and we will engage in that discussion in the committee. A nuclear arms race in the Middle East is a catastrophe that is the worst part of a nightmare. Saudi Arabia has said, Hey, if Iran goes nuclear, we very well can't not go nuclear.

We believe that other nations—Turkey, Egypt, others—have said it's probably in our best interests not to be the ones without a nuclear weapon program if Iran gets a nuclear weapon. The proliferation of nuclear weapons across the Middle East is dangerous, incredibly dangerous. That's one outcome. We also have to consider that outcome as well.

□ 1510

Think about where Israel is today. This is a talk about U.S. action against Iran, something that we should consider. We should be very careful about all of those considerations. Now think about Israel and what they may or may not have to do when it comes to taking out a nuclear weapon program where they know one of its destinations will impact the very existence of the people of Israel. They live in a dangerous neighborhood. Egypt is now an uncertain partner in peace. There is violence

breaking out in the Sinai because of the turmoil and the changes happening in Egypt. Hamas is well armed, as well armed as we have ever seen them, with missiles aimed at Israel. Hezbollah has about 30,000—the public number—we believe of very accurate missile systems pointed at Israel. Iran is moving and marching forward. Clearly the IAEA just recently reported a 27 percent enrichment rate on traces of uranium. That doesn't get you to the all-important 95, but it crosses a very critical threshold and a dangerous one, that 20 percent enrichment rate. That is a dangerous place for them to be. You hit 20, it's a lot easier to get to 95.

They have certainly shown that they are bad actors in the world. We should consider that as well, and we do in the Intelligence Committee. Imagine the fact that somebody would make the calculation, a nation-state, to assassinate an ambassador of another nation in our Nation's capital. And if they killed U.S. civilians, so be it.

We have seen a proliferation of these types of attacks from Iran. They haven't been very good at it yet. We've caught most of them. But they're learning from every event. And it's happening in places like Turkey, Pakistan, Argentina, and other places around the world. We are in a scary place indeed.

I won't oppose this amendment, but we need to look at this in total. I will tell you that if you want to stop Iran from getting a nuclear weapons program, we have to step up. We're doing a fine job on the sanctions now—thanks to this body leading the way for sanctions working—but they also have to believe that military options are on the table. If they do not believe it, they'll continue down this path that is dangerous for the national security interests of the United States, of the Middle East, and indeed the world. Nuclear weapons in the hands of rogue elements is a thing that keeps me up every single night. I can't imagine that arms race in the Middle East making the job of stopping that any easier indeed.

I will not oppose this amendment, but I do think it's important that we put it in all of the context of the threat that a nuclear Iran poses, not just to the Middle East but to the world.

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

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Thank you very much, Mr. CONYERS. And I want to thank the chair as well for accepting the amendment, and I rise in support of the amendment.

I think that Chairman ROGERS' concerns are well stated. I know that the security of this country is something that you're committed to, as am I. This amendment, I think, will help slow down the rush towards war by asking those who are involved in our intelligence gathering to focus on just what a war with Iran will mean.

I've been studying this in terms of the effects because we had a discussion a few years ago in Congress about the potential of bunker busters being used, and I looked at that and consulted with medical scientists who told me that a bunker buster would cause radiation to go hundreds, even thousands, of miles not only through Iran, but outside the country and into other countries, as well. It would be a major health catastrophe with a lot of innocent people killed.

We have to think of the broad impact here of a potential attack. And I think that it's good that you're including this in the bill.

Mr. CONYERS. Mr. Chairman, I want to thank the ranking member and the chairman of the Intelligence Committee for their concern about this phase of intelligence, and I hope to enjoy their support and the support of the committee as a whole in having this amendment added to the work that is going on here today.

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

Ms. LEE of California. Mr. Chair, first, let me thank my esteemed colleague Congressman JOHN CONYERS for giving me the opportunity to speak on this important amendment.

I would also like to recognize Congressman KEITH ELLISON who has been an outstanding leader on issues affecting the Middle East.

Mr. Chair, first let me say unequivocally that we can all agree that we must work to prevent an Iran armed with nuclear weapons—which would never be unacceptable.

That is not what this amendment is about, this amendment is noncontroversial.

This amendment is really just about common sense.

It would simply require that the National Intelligence Director give Congress a report outlining their assessment of the consequences of launching a military strike against Iran.

This amendment is necessary because, once again we hear very loudly the drum beat of war.

If we have learned anything from the past ten years, it is that we have to be deliberate, be thoughtful, be careful, and know exactly what we are getting ourselves into before we launch another war in the Middle East.

These decisions should not be taken lightly, and they must be based on sound reasoning, and the best information, and the best intelligence.

We have a duty to our brave men and women in uniform who have sacrificed so much during the past decade of war to have an informed debate about the consequences of military action.

I urge you to vote "yes" on this amendment.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. FARR

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–504 as modified by the order of the House of today.

Mr. FARR. I have an amendment at the desk made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following new section:

**SEC. 306. SENSE OF CONGRESS ON THE CONSIDERATION OF FOREIGN LANGUAGES AND CULTURES IN THE DEVELOPMENT OF CYBER TOOLS BY THE INTELLIGENCE COMMUNITY.**

It is the sense of Congress that the head of each element of the intelligence community should take into consideration foreign languages and cultures during the development by such element of the intelligence community of training, tools, and methodologies to protect the networks of the United States against cyber attacks and intrusions from foreign entities.

The CHAIR. Pursuant to House Resolution 667, the gentleman from California (Mr. FARR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

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

Mr. FARR. I want to thank our colleagues on this committee. Those of us who are not on the committee have the opportunity to share in participating in the debate on this bill and voting for it. I have to say over the years I've been here, I don't think this bill has been brought to the floor in such bipartisan unity as it has this session. I want to congratulate both of them for their leadership.

Mr. Chairman, I also want to point out with this amendment that cyberanalysis is a relatively new field to the intelligence community. Training and tool development have focused on computer networks, but it's also important to understand the plans and intentions of foreign actors who are involved in cyberattacks and intrusions.

How do we best understand foreign plans and intentions? Is it by providing some aspects of foreign language and cultural training to intelligent professionals that includes cyberanalysts? This training is essential because it helps the intelligence community to understand the behavior of our potential adversaries. It helps them anticipate the actions that they may be taking, and it helps them develop potential allies.

The traditional missions of the intelligence community have undergone many changes, and the community must invest in new tools and develop creative ways to train its men and women. My amendment is necessary because the intelligence community department heads are not as focused as they should be on the gaps in foreign language skills and cultural knowledge in the workforce.

The intelligence community provides specialized training for its men and women in foreign languages and culture, in analysis, in cybersecurity. However, aspects of all these areas should be brought together as a part of the toolkit for cyberanalysts to best meet our Nation's challenges.

My amendment will not cause undue burden to the intelligence community. It will serve as an essential reminder to those whose decisions impact training and tool development to remember the value and importance of including foreign languages and cultural knowledge in all aspects of our intelligence mission.

I know of no opposition to my amendment, and I would hope that it would be supported by both sides of the aisle.

I reserve the balance of my time.

When we talk about critical STEM knowledge and skills for our Intel workforce, we should also be talking about STEM–L, which combines STEM with foreign language.

STEM is Science, Technology, Engineering, and Math. Including foreign language and culture training with STEM would create a powerhouse workforce for the Intelligence Community.

For example, just as cyber analysts should understand some aspects of foreign language and culture, language and intelligence analysts should also have some understanding of computer network concepts and technology.

The Intelligence Community trains its workforce in STEM and foreign language, but not together. The training is stove-piped by career field.

This does not suggest that all types of intelligence analysts need to be experts in STEM or even in a foreign language. However, the Intelligence Community should consider exploring cross-pollination of knowledge.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. Thank you, Mr. Chairman. I just want to applaud the gentleman for his work. We look forward to working with him as we move forward, and I will support the amendment.

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

Mr. FARR. Thank you for your support, and I yield back the balance of my time.

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

The amendment was agreed to.

□ 1520

AMENDMENT NO. 5 OFFERED BY MR. CUELLAR

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–504.

Mr. CUELLAR. 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 title IV, add the following new section:

**SEC. 405. INTELLIGENCE SHARING WITH MEXICO AND CANADA.**

(a) AUTHORIZATION.—The Director of National Intelligence may—

(1) if the Director determines that the sharing of intelligence information with Mexico and Canada for purposes of reducing drug trafficking would not threaten national security, allow the sharing of such intelligence information with Mexico and Canada; and

(2) make use of intelligence information from Mexico and Canada for such purposes.

(b) TYPE OF INFORMATION.—Information shared or used under subsection (a) may include the movements of drug cartels and other criminal behavior.

The CHAIR. Pursuant to House Resolution 667, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise today and encourage my colleagues to support my amendment to the Intelligence Authorization Act of Fiscal Year 2013.

Particularly, I want to thank Chairman ROGERS and our ranking member, Mr. RUPPERSBERGER, for their bipartisan approach on this particular piece of legislation.

My amendment would authorize the Director of National Intelligence to participate in information sharing with the Republic of Mexico and Canada for the purposes of border security and combating drug trafficking and any related crimes.

Nothing in this amendment requires the Director of National Intelligence to share their information, but based on this information, this amendment simply gives the agency the power to do so in the event that the Director sees the real benefit in combating the flow of drugs throughout the United States and our neighbors.

This important amendment will go a long way in making sure that our northern and southern neighbors have all the tools we can offer to stop the violence and trafficking caused by drug cartels. The Republic of Mexico, Canada, and the United States share a deep concern over the threat to our societies by drug trafficking and other criminal organizations operating on both sides of our common borders. The growing operational and financial capabilities of criminal groups that traffic in drugs, arms, persons, as well as transnational criminal activity, pose a clear and present threat to our lives and the well-being of U.S., Canadian, and Mexican citizens.

North America must make it a priority to break the power and impunity of drug and criminal organizations that threaten the health and public safety of their citizens and the stability and security of the region. Both the Canadian and Mexican Governments are profoundly committed to the concerted bilateral strategic and tactical cooperation necessary to combat effectively this criminal activity, particularly the threat it presents to our Nation's youth and the importance of having adequate access to intelligence information.

This amendment will make whatever intelligence gathered by the United States that can be shared, will be shared to stop the flow of illegal drugs. In addition, this amendment will ensure that whatever intelligence gathered by our neighbors can be properly used by our law enforcement to make sure that we stop the drugs.

Finally, Mr. Chairman, I certainly want to say that I do appreciate, again, the work of our ranking member, the chairman. I hope that the chairman is supportive of this amendment, and I certainly want to thank all the committee members.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I want to compliment the gentleman for his work in bringing attention to this very important issue.

We have a serious problem on our southern border with our friend, neighbor, and ally, Mexico. They are under siege by organized criminal narcotrafficking organizations.

If you have just looked at the sheer death count and the murder and mayhem in some of the provinces along our southern border, it is shocking; and I think this will serve to at least make an advance on trying to help our southern neighbors get a handle on what is a serious and growing violent problem to our neighbor to the south. And I commend the gentleman and look forward to working with him in the future on this very important issue, and I would support the amendment.

I yield back the balance of my time.

Mr. CUELLAR. Again, I want to thank Chairman ROGERS for his work, our ranking member also, and the committee staff. Thank you for the support.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. HAHN

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–504 as modified by the order of the House of today.

Ms. HAHN. 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 title IV (page 21, after line 2), add the following new section:

**SEC. 405. CIVIL LIBERTIES PROTECTION OFFICER REVIEW OF CYBERSECURITY POLICIES, PROGRAMS, AND ACTIVITIES.**

Section 103D(b) of the National Security Act of 1947 (50 U.S.C. 403–3d(b)) is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph:

''(7) ensure that any coordination and training between an element of the intelligence community and a law enforcement agency does not violate the Constitutional rights of racial or ethnic minorities; and''.

The CHAIR. Pursuant to House Resolution 667, the gentlewoman from California (Ms. HAHN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. I also want to start out by thanking Chairman ROGERS and Ranking Member RUPPERSBERGER for bringing forward this bipartisan bill, and I am echoing I think what everyone is feeling today, that I think it's important for the American people to see this, to see us come together on such an important issue when it comes to protecting all Americans, so it feels good to be a part of this today.

I know that we face complex challenges and threats to our national security, and I don't think anyone ever wants to see another September 11 terrorist attack on this Nation. To prevent that, I know we need to use many tools at our disposal to combat the ever-evolving dangers that threaten our society. We need all levels of law enforcement to work together to ensure that we're safe.

We must protect the rights of all of our citizens as we do this. We cannot allow our desire to protect our country come at the expense of any group in this great country. This is the promise of our Nation's Founding Fathers. The promise of equal justice under the law is etched in our Supreme Court building. This is part of our Nation's DNA that there is the promise of equality.

My amendment furthers this promise. It requires the Civil Liberties Protection Officer, which is in the Office of the Director of National Intelligence, to ensure that any training between the intelligence community and law enforcement includes the protection of constitutional rights of racial and ethnic minorities.

Mr. Chairman, we cannot take our national security for granted, but we have to ensure that everyone has equal justice under the law.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I want to thank the gentlelady for her concern on these very important issues. One of the things that's so important, I think, to our country, is that we do have a strong and robust national security service of all sorts.

In order for that to work and be the most effective, people have to have trust in it. They have to understand that their rights are protected, and I think this amendment states exactly where they are and where they should be. And, therefore, I won't oppose the amendment, and I applaud the gentlelady's concern and effort. It will serve as a valuable reminder, I think, to the men and women who are standing tall in our defense what it's all about and why they do it.

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

Ms. HAHN. Thank you to the chairman and the ranking member for bringing this bipartisan bill forward that I think will have such great support.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–504.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title IV (page 21, after line 2), add the following new section:

**SEC. 405. SENSE OF CONGRESS ON HIRING OF MINORITY EMPLOYEES BY THE CENTRAL INTELLIGENCE AGENCY.**

It is the sense of Congress that the Director of the Central Intelligence Agency should take such actions as the Director considers necessary to increase the recruitment and training of ethnic minorities as officers and employees of the Central Intelligence Agency.

The CHAIR. Pursuant to House Resolution 667, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I thank the chairperson of the Intelligence Committee and the ranking member and speak in the spirit of bipartisanship, and I congratulate both gentlemen for recognizing that the security and intelligence of America speaks loudly to the idea of bipartisanship.

Just a few hours ago, I was in a classified briefing—for fear of anyone thinking that I will share that classified briefing, I will not. But what I will say is it is clear that intelligence is a key to the peace and security that the American people have experienced since 9/11. Through the work of Members of Congress and the intelligence community, of which we owe a great deal of that gratitude, we have been able to, for now some 11 years plus on our soil, experience the safety and security, although we have had many attempts.

For that reason, I believe this is important work. My amendment says that it is important for the Director to consider the necessary processes to increase the recruitment and training of ethnic minorities as officers and employees of the CIA.

□ 1530

We have done this before. We have encouraged them to do so. And we can say that there have been gradual steps. And we applaud that. But the men and women who conduct this important work certainly deserve our support and all of the resources that we can muster to make sure they are successful in their endeavors. Yet we also ensure that the CIA itself reflects the American population and that of the world. Having agents who can be deployed anywhere at any time is vital to our national security, as well as the ability to interact with foreign nationals who speak the language is truly important. A diverse workforce can make America safer and more secure.

Historically, there's been an exclusion of minorities, particularly African Americans and Latinos, in the highest levels of national security. Let's continue to break that barrier. It's taken decades for minorities to make inroads into America's national security apparatus. And I know that this is a sense of Congress, but I always have faith that people will adhere to a positive statement by this body.

Although the number of CIA employees remains a classified secret, the Agency has released some numbers over the years. In 1966, blacks represented 10 percent of the CIA's total workforce and only 3 percent of the Agency's officers in senior intelligence service, whereas 17 percent of the clerical staff and 22 percent of the Agency's blue collar workforce was African American.

Over this past weekend, we commemorated, mourned, and celebrated our fallen soldiers. I had the privilege of having uncles who went off to war in World War II, one who served as a chief petty officer in the United States Navy. That was the integrated United States Navy. I can tell you that we are better for it when we utilize the talents of all Americans.

In 1992, a declassified study of CIA personnel found that about half of all black intelligence officers reported that they had been victims of racial harassment by the Agency. As of today, of the CIA's core of case officers, which is believed to number more than 1,000, only 11 percent are minorities and 18 percent are women. The majority of the Agency's top managers are still predominantly nonminorities.

According to CIA officials, one-third of the new operations officers hired in 2011 have been women, while just 11 percent have been minorities, as traditionally defined: African Americans, Asian Americans, or Latinos. Twenty percent of all new operations officers are native speakers of a foreign language and 75 percent have advanced proficiency in foreign languages, many because they've lived abroad. Almost half have advanced degrees.

I applaud that and I truly believe, as some may be listening and saying, Aren't we are all Americans? Yes, we are. If we are all Americans, then our

CIA, one of our most storied Agencies, needs to join and continue to recruit and improve on bringing in the diverse picture of the face of America because we'll be better for it.

When President Truman integrated the United States military, we became better for it. We celebrate all people who are willing to put the Nation's uniform on and die for their country. Likewise, for this wonderful intelligence Agency, we do the same.

With that, I ask my colleagues to support my amendment, and I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, though I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I thank the gentlelady for her amendment. Certainly, the good news is, as she said, she has pointed out the progress that has been made. And that's right, they have done an exceptionally good job of understanding that diversity is part of the success of our intelligence services. So restating that policy is probably a good idea. I will not oppose the amendment, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. I thank the gentleman. I thank the ranking member as well.

In closing, let me just pay tribute to Garrett Jones, who served as a CIA station chief in Somalia during peacekeeping operations in 1993 and was cited as an African American officer who was able to work undercover for weeks in North Mogadishu, which his duty officers said would have been all but impossible by Jones' other officers.

We all have a contribution to make. And I look forward to this sense of Congress not being weeded out in conference and reemphasizing the importance of this effort.

With that I ask support of my amendment, and I yield back the balance of my time.

Mr. Chair, I rise to debate my amendment #7 to H.R. 5743 "Intelligence Authorization Act," which is a Sense of Congress that the Director of the Central Intelligence Agency should take such actions as the Director considers necessary to increase the recruitment and training of ethnic minorities as officers and employees of the Central Intelligence Agency.

The men and women who conduct this important work certainly deserve our support and all of the resources that we can muster to make sure that they're successful in their endeavors. Yet, we must also ensure that the CIA itself reflects the American population and that of the world. Having agents who can be deployed anywhere at any time is vital to our national security. As is a diversity of thought and perspectives that can be garnered by having a diverse workforce.

Historically there has been an exclusion of minorities, particularly African Americans and Latinos in the highest levels of national security.

It has taken decades for minorities to make inroads into America's national security apparatus.

Although the number of CIA employees remains a classified secret, the agency has released some numbers over the years. In 1996 Blacks represented 10 percent of the CIA's total work force and only 3 percent of the agency's officers in senior intelligence service whereas 17 percent of the clerical staff and 22 percent of the agency's blue-collar work force was African American.

In 1992 a declassified study of CIA personnel found that about half of all black intelligence officers reported that they had been victims of racial harassment by the agency.

As of today the CIA's corps of case officers which is believed to number more than 1,000 and only 11 percent are minorities and 18 percent are women.

The Majority of the agency's top managers are still predominantly White males.

According to the CIA officials one-third of the new operations officers hired in 2011 have been women. While just 11 percent have been minorities as traditionally defined (African Americans, Asian Americans or Latinos), 20 percent of all new operations officers are native speakers of a foreign language and 75 percent have advanced proficiency in foreign languages, many because they have lived abroad. Almost half have advanced degrees.

There have been improvements since 1992, however, more must and should be done to ensure that diversity is reflected at the highest levels of the CIA.

The value of diversity in a spy service that operates in almost every country would seem to be obvious.

Garrett Jones who served as CIA station chief in Somalia during peacekeeping operations in 1993, cited the example of an African American officer who was able to work undercover for weeks in north Mogadishu, which he said would have been all but impossible for Jones or any of the station's other white officers. As we must deploy CIA agents all over the world. We need agents that are able to blend into a variety of situations. We need diversity.

Interest in working for the CIA rose after the Sept. 11 attacks. Between October 2001 and October 2002, the agency received 170,000 resumes.

Since founding of Office of the Director of National Intelligence minority representation increased to nearly 23 percent in 2009 in FY 2009, up since FY05, when it was 20 percent. Minorities received nearly 25 percent of promotions in FY09 and over 27 percent of new hires were minority. Women earned 46 percent of promotions in FY09, significantly higher than their representation at about 39 percent.

Letitia "Tish" Long is the first woman to head a major intelligence agency as director of the National Geospatial-Intelligence Agency, the office responsible for collecting and analyzing overhead imagery and geospatial information.

Women have held the #2 spot at several intelligence agencies, including National Security Agency, National Reconnaissance Office and NGA. CIA however has never had a woman as #2, but has had a woman in its #3 spot.

My amendment is a reflection of the need to continue to place the spotlight on the intelligence community to ensure that they continue in their efforts to reflect the needs of this country by recruiting, training, and retaining qualified minorities,

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

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–504.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 501 (page 21, after line 14), insert the following new section:

**SEC. 502. SENSE OF CONGRESS ON THE NEED FOR THE INTELLIGENCE COMMUNITY TO PROTECT CIVIL LIBERTIES OF RELIGIOUS AND ETHNIC MINORITIES.**

It is the sense of Congress that the intelligence community should take all appropriate actions necessary to protect the civil liberties of religious and ethnic minorities.

The CHAIR. Pursuant to House Resolution 667, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Again, let me thank the chairman of the committee and the ranking member for bringing forward a bipartisan initiative, and I hope that this would add to, again, reemphasizing what we have begun to do and that we will continue to do, and that is to recognize the value of security, but also recognize what Americans hold dear—their privacy, their respect for individual rights, their civil liberties. And so this amendment speaks specifically to the importance of protecting the civil liberties of religious and ethic minorities.

I can cite the moments in history where we have failed. Certainly, the Japanese interment loudly speaks in current, modern-day history of the tragedy of not respecting the civil liberties of Americans. Certainly, if we went as far back as the slave history of America, we can see that those who are on American soil who would have sought well to be Americans, their civil liberties were not protected.

But America has made great progress, and I think it is important as we look at new populations that come to this country that we particularly focus on this whole concept of religious liberty. It is a concept that sometimes is very difficult to adhere to. I may not agree with your faith and your religion, but you have the right to practice it as long as you're not doing harm to the American people.

For example, President George W. Bush in 2001 told the American Congress during that very difficult time that terrorists practice a fringe form of Islamic extremism that has been rejected by Muslim scholars and the vast

majority of Muslim clerics, a fringe movement that perverts the peaceful teachings of Islam.

And so this particular faith certainly has been one that has been most noted. I think we have all come to the conclusion that we should protect the civil liberties of those who practice their faith under the Constitution of the United States, which the First Amendment guarantees the right to the freedom of access, freedom of movement, freedom of religion, freedom of speech.

I would hope that in the intelligence community, as they do their work fighting terrorism, fighting the potential of those terrorist cells that may find themselves on our soil, that they will recognize the right of individuals to practice the faith and the aspect of the faith that follows the tenets of their faith and not categorize those individuals simply because of their faith that they might be intending to do us wrong.

There are many incidences where we have the kind of treatment of individuals because they happen to be of a particular background, particular ethnicity, racial background, and then, of course, faith. But I want to speak to this amendment so that people will know that it is a broad base, because many times we have disagreement with a number of subsets of different faiths, whether it's Protestant, whether it's faith that we are used to addressing.

So it is a statement that says that the civil liberties of all Americans will not be deprived through the necessity of protecting this land through our intelligence community on the basis of their religion and ethnic minorities.

We know that in some jurisdictions there have been incidences of individuals that believe that their privacy has been intruded upon. I would hope that in the framework of the fine work that the intelligence community has to do that there is no intimidation of making sure that civil liberties can be protected.

Many of us have debated a number of bills on the floor of the House dealing with privacy questions. I think it is important in this sense of Congress to always restate that we are committed to national security, but we're committed to the civil liberties of those within our soil—American citizens.

With that, I ask my colleagues to support my amendment, and I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I ask unanimous consent to control the time in opposition.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

I want to thank the gentlelady. Civil liberties are incredibly important. It's important that the American people have faith in their intelligence services that they are, in fact, catching bad guys and protecting Americans' civil liberties. The good news is that as a part of the Director of National Intelligence they have a Civil Liberties Protection Officer. This is a reaffirmation, I think, of that valuable work that that particular officer does, and really all of the members of our intelligence community need be reminded that protection of American civil liberties is an important value and an important thing to do while in fact you're catching the bad guys.

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

Ms. JACKSON LEE of Texas. Let me capture what the chairman said. I like the terminology that says the American people must have faith in their intelligence community, but faith in the principles upon which we live. And they must know that the Constitution is a living, breathing document. And we as Members of Congress must as well.

□ 1540

So, again, I make a plea that this sense of Congress is a reaffirmation, but also an encouragement and a statement that should be in this bill that we respect the civil liberties of racial, ethnic, and religious minorities, and in fact so will our intelligence community.

With that in mind, I would ask my colleagues to support the amendment and also ask that it be maintained even in conference, the reaffirmation of this important instruction as the civil liberties protection officer operates and does the work that they need to do. I ask my colleagues to support the amendment, and I yield back the balance of my time.

Mr. Chair, I rise to debate my amendment #8 to H.R. 5743, "Intelligence Authorization Act," which is a Sense of Congress that the intelligence community should take all appropriate actions necessary to protect the civil liberties of religious and ethnic minorities.

We can obtain vital intelligence without compromising our civil liberties. As you know, risks to civil liberties are inherent in the very nature of domestic intelligence. This is because intelligence necessarily operates in secret and as a result, it is difficult to subject intelligence activities to the checks and balances that the Framers of the Constitution realized were essential to prevent abuses of power. Even judicial reviews of intelligence activities are often given deference.

Intelligence is the information we use to identify and locate individuals involved in planning terrorist acts. This information must then be used to prevent any potential attack and can be done in ways that are legally permissible.

Domestic intelligence community left unchecked could pose significant dangers to open government, individual privacy, and civil liberties. My amendment is designed as a limitation for a reason. We need a bill that is strong on civil liberties, and includes protections against infringement of our constitutional right to privacy.

My amendment serves as a reminder that the American people have put their faith in the intelligence community and in Congress to protect not only their security but the very essence of what makes America great . . . our freedoms.

Thomas Jefferson in 1787 stated that "[A] bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse."

The September 11, 2001 terrorist attacks on America have forced serious reflections about the institutional framework of civil society and the commitment to democratic principles. Although the balancing of the protections of citizens' rights and liberties against their peace and security is a continuous constitutional struggle. Especially during war and national crisis.

According to Justice Sandra Day O'Connor "We're likely to experience more restrictions on our personal freedom than has ever been the case in our country . . . it will cause us to re-examine some of our laws pertaining to criminal surveillance, wiretapping, immigration and so on" (New York Times, Sept. 29 2001).

Our efforts to provide for the safety and security has required Americans to accept certain restriction on their freedoms—more surveillance of their papers and communications, more searches of their belongings, possible detention without a writ of habeas corpus, and proceedings by military tribunals without the standard protections of due process of civil courts.

I realize that we must give our intelligence community the proper tools to protect us while upholding the civil liberties of Americans.

We must always recognize that the American people are being asked to trade off civil liberties and personal freedom for a greater sense of security from the threat of terrorist.

It is no answer to these legitimate concerns that police officers or member of the intelligence community who monitor political or religious meetings, compile dossiers on political activists, or infiltrate lawful protest organizations are complying with the Fourth Amendment and are doing no more than any member of the public could do on his or her own. When government acts, it has a special obligation to respect constitutional rights—which include the First as well as the Fourth Amendment—an obligation not imposed on private citizens. My amendment is a Sense that it is the intent of this body to protect the civil liberties of the very groups that may be monitored as a direct response to our concerns about a terrorist attack. We must be led not by fear but by reason!

The challenge to our intelligence community is the same as the challenge for the nation as a whole. Securing the Nation's freedom depends not on making a choice between security and liberty, but in designing and implementing policies that allow the American people to be both safe and free.

Increased threats of terrorism after September 11, 2001, lightning-fast technological innovation, and the erosion of key privacy protections under the law threaten to alter the American way of life in fundamental ways.

Terrorism threatens—and is calculated to threaten—not only our sense of safety, but also our freedom and way of life. Terrorists intend to frighten us into changing our basic laws and values and to take actions that are not in our long-term interests.

While the government has both the power and the obligation under the Constitution to

defend the nation and its security, these powers cannot be exercised in a manner that contravenes individual constitutional liberties. Among others, these include the First Amendment's guarantee of freedom of speech, religion, and association, and the Fourth Amendment's protection against unreasonable searches and seizures. In addition, as with all government powers, national security and intelligence gathering powers should be subject to checks and balances, including meaningful judicial review and probing oversight by the Congress.

The internment of thousands of Japanese serves as a reminder for why we must protect the civil liberties of religious and ethnic minorities.

JAPANESE INTERNMENT—A LESSON ON THE IMPORTANCE OF PROTECTING CIVIL LIBERTIES

One week after the Pearl Harbor attack, President Franklin D. Roosevelt promised to preserve constitutional freedoms, ''We will not, under any threat, or in the face of any danger, surrender the guarantees of liberty our forefathers framed for us in our Bill of Rights'' but it was not long after that speech that the War Department was concerned about a foreign threat to the west coast.

Congress held hearing and in 1942 the Congressional Subcommittee on Aliens and Sabotage recommended ''the immediate evacuation of all persons of Japanese lineage and all the other, aliens and citizens alike, whose presence shall be deemed dangerous or inimical to the defense of the U.S. from all strategic areas''. President Roosevelt signed the Executive order 9066 calling for the evacuations . . . Roosevelt justified the action as ''war requires every possible protection against espionage and against sabotage to national-defense material, national-defense premises . . .''

The result: More than 120,000 Japanese Americans, the majority of whom were American citizens or legal permanent residents were placed in internment camps violating their civil rights to be treated with fairness and equality, without discrimination and their Fifth Amendment right to due process.

It was not until 1988 that victims received a reparation check and an apology from President Reagan. ''The United States unjustly interned, evacuated, or relocated you and many other Japanese Americans . . . and unfairly denied Japanese Americans and their families fundamental liberties during World War II . . . the Nation's actions were rooted deeply in racial prejudice, wartime hysteria, and a lack of political leadership.''

My amendment stands as a reminder that we must not repeat the mistakes of our past.

PROTECT PERSONAL PRIVACY

When the Bill of Rights was written, protecting personal privacy was largely an issue of protecting the integrity of physical property—and so the Fourth Amendment speaks of the people's right to security in their ''persons, houses, papers, and effects . . .''

Today, our most intimate conversations, correspondence and records are apt to be recorded digitally, rather than contained in paper records secured in private homes and offices. Likewise, the most routine details of daily life—credit card purchases at a drug store or bookstore, passage through a toll booth or subway station, the television shows recorded by a digital video recorder—now leave electronic footprints scattered across a myriad of computer databases.

Today, the transformation of our society from one dependent primarily on the privacy of ''persons, houses, papers, and effects'' in the physical world is accelerating exponentially. As the result of this transformation, a host of previously anonymous behavior and private information can now be captured and linked to a specific person without any trespass into the person's home or office.

Our laws are struggling to catch up. So far, the courts have left largely immune from Fourth Amendment scrutiny a range of highly personal information—including financial records, medical records, and library and book records—on a theory that there is no reasonable expectation of privacy in information in the hands of third parties. See, e.g., United States v. Miller, 425 U.S. 435 (1976).

Today, we live a world in which a personal calendar or journal—once stored in paper form in a home, office, or briefcase—is now as likely to be stored on a personal digital assistant connected to a server owned by a third party. In such a world, the courts should reconsider the idea that information held by third parties lacks constitutional protection.

In United States v. United States District Court (''Keith''), 407 U.S. 297 (1972), the Supreme Court decided that wiretapping was subject to the Fourth Amendment even if it was conducted for national security purposes. That case involved a domestic terrorist conspiracy to bomb the office of the Central Intelligence Agency in Ann Arbor, Michigan. Still, without dismissing the real national security threat posed by such illegal activity, the Supreme Court rejected Attorney General John Mitchell's claim of a clandestine domestic intelligence gathering power that would allow the executive branch to wiretap without court review or congressional authorization.

Such an unchecked power, the Supreme Court observed, would inevitably pose dangers to lawful dissent: ''Though the investigative duty of the executive may be stronger in such [national security] cases, so also is there greater jeopardy to constitutionally protected speech. . . . History abundantly documents the tendency of government—however benevolent and benign its motives—to view with suspicion those who most fervently dispute its policies. . . . The price of lawful public dissent must not be a dread of subjection to an unchecked surveillance power.'' Keith, 407 U.S. at 313–314.

Safeguards also must exist to protect First Amendment freedoms of speech, worship and association. When conducting counter-terrorism and counter-intelligence investigations, the Department of Justice operates under guidelines approved by the Attorney General. The purpose of investigative guidelines is to ensure that intrusive investigative techniques are used to monitor terrorists, spies, and foreign agents, not political or religious organizations engaged in lawful dissent. These guidelines recognize that such techniques, which are left largely unregulated by the Fourth Amendment, pose a risk to First Amendment freedom of association.

The Supreme court has recognized a ''vital relationship between freedom to associate and privacy in one's associations.'' NAACP v. State of Alabama, 357 U.S. 449, 462 (1958). Where individuals participate in unpopular political or religious organizations, members of those organizations fear—often with good reason—''economic reprisal, loss of employment, threat of physical coercion, and other manifestations of public hostility.'' Routine, intrusive government investigations of lawful, but unpopular, political organizations would clearly pose a serious risk to the First Amendment because their members would fear that such information, if leaked, could be used against them.

It should be the Government's burden to establish, to the satisfaction of Congress, that intelligence gathering initiatives do not pose a threat to fundamental American values. Congress can decide simply to forbid the policy from going forward at all because it cannot be implemented consistently with fundamental American civil liberties. Support my amendment!

RACIAL PROFILING/RELIGIOUS PROFILING

The Department of Justice, DOJ, banned any use of racial profiling in 2003. Despite this, racial profiling still occurs; there are some who claim racial profiling led to the 50 percent decrease in violent crime. In reality, racial profiling is against our basic values, it does not work, and it actually hinders effective law enforcement. That opinion is shared by law enforcement professionals and legal scholars, as well advocates of populations most likely to be targeted by profiling. The overwhelming weight of statistical data supports this position.

As the Ranking Member on the Homeland Security Subcommittee on Transportation and Senior Member of the Judiciary Committee, I am aware of the injustices that are faced by minorities in this country due to racial profiling. In Homeland Security I had to sit through a hearing on the Radicalization of our Prisons, the need to watch Muslim Americans, and certain Somali Americans.

In the days following the devastating attacks of September 11, 2001, this country came together in an unprecedented and inspiring display of unity and patriotism. Americans of differing ethnicities, background and religions came together in support of the nation.

In his address to a joint session of Congress on September 20, 2001, President George W. Bush told Congress, the American people, and the world that ''terrorists practice a fringe form of Islamic extremism that has been rejected by Muslim scholars and the vast majority of Muslim clerics; a fringe movement that perverts the peaceful teachings of Islam.''

The Homeland Security Committee continues to focus on the Islamic faith and those who follow it, as a threat to national security. We set the example that the Intelligence Community follows. We must stand up to violations of a person's civil liberty, but most especially for religious and ethic minorities. It is clear that Muslim Americans since 9/11 have been singled out and targeted for their religious beliefs.

Racial and religious profiling is against our basic values, it does not work, and it actually hinders effective law enforcement. That opinion is shared by law enforcement professionals and legal scholars, as well advocates of populations most likely to be targeted by profiling. The overwhelming weight of statistical data supports this position.

And yet, there are still those who insist that it is a valid tool for crime fighting and anti-terrorism work. They insist that if you have nothing to hide, you have no reason to mind answering a few simple questions, that it is a minor inconvenience. I find that inexplicable.

It is more than a minor inconvenience to have the police or FBI come into your workplace, to question you in front of your coworkers, and put your job at risk. It is more than a minor inconvenience to be stopped on the street, to be pulled over on a pretext, so that police officers can find a reason to question you. When the use of force or threat of force by police officers is dramatically increasing, it is more than a minor inconvenience to be more likely to be pulled over and put in that position, because of the color of your skin.

Thirty two million Americans have reported that they were the victims of racial profiling. That is thirty two million Americans humiliated, intimidated, and treated as second class citizens in service of a policy that does nothing to keep us safer.

In past years, I have supported measures that would end this practice. I look forward to hearing from the witnesses about how we can end this ineffective, un-American practice, whether through training, executive orders, or through legislation we craft in Congress.

RACIAL PROFILING AND TERRORISM

"DRIVING WHILE ARAB"

The events of September 11, 2001, have had a profound impact on racial profiling. Following the terrorist attacks, law enforcement agents have subjected individuals of Arab or South Asian descent, Muslims, and Sikhs to racial profiling. While national and local statistics are not yet available, anecdotal accounts how Arabs, Muslims, and Sikhs have endured racial profiling.

For example, in the months following September 11th, a new type of racial profiling has developed: "driving while Arab." Arabs, Muslim, and Sikhs across the country were subjected to traffic stops and searches based in whole or part on their ethnicity or religion.

On October 4, 2001, in Gwinnett, Georgia, an Arab motorist's car was stopped, he was approached by a police officer whose gun was drawn, and he was called a "bin Laden supporter" all for making an illegal U-turn. On October 8, 2001, two Alexandria, VA, police officers stopped three Arab motorists. The officers questioned the motorists about a verse of the Koran hanging from the rear view mirror, and asked about documents in the back seat. The police officer confiscated the motorists' identification cards and drove off without explanation. He returned 10 minutes later, and claimed be had had to take another call.

On December 5, 2001, a veiled Muslim woman in Burbank, Illinois, was stopped by a police officer for driving with suspended plates. The officer asked the woman when Ramadan was over, asked her offensive question about her hair, and pushed her into his patrol car as he arrested her for driving with suspended plates. The woman was released from custody later that day.

DEPORTATION WITHOUT DUE PROCESS

A particularly egregious form of terrorism profiling occurs when Arab men and women are detained and deported without due process.

Since September 11th, hundreds of Arab and Muslim individuals have been detained on suspicion of terrorist activity. Practically none of these individuals was involved with terrorism. However, many were detained for weeks and eventually changed with minor immigration violations.

Based on these minor immigration violations some were deported. In one case, two Pakistani immigrants were arrested and detained 45 days for allegedly overstaying their visas.

In another case an Israeli was detained for 66 days before being charged with entering the United States unlawfully.

In a particularly shocking case, a French teacher from Yemen, who was married to an American citizen and therefore eligible to become a citizen himself, was reporting for duty as an army recruit at Fort Campbell, Kentucky, on September 15, 2001. The man was apprehended by Federal agents, separated from his wife and interrogated for 12 hours. The agents accused him of violating immigration laws, conspiring with Russian terrorists, spousal abuse, and threatened him with beatings. The man was given a lie detector test which proved he was telling the truth when he denied being associated with terrorists.

CONSEQUENCES OF RACIAL PROFILING

The consequences of Racial Profiling for minority groups in the United States, for Arab, Muslim and Sikh groups, and in the immigrations context are dire for individual who are both innocent and guilty of criminal activity.

In the case of the innocent, for every person in possession of drugs apprehended through profiling, many more law-abiding minorities are treated as if they are criminals.

Racial profiling increases the stops and arrests of minority groups. Frequent stops and arrests of minorities generate more extensive criminal histories, and result in longer sentences.

Racial profiling results in increased arrests and convictions of minorities. In many states, a felony conviction can impact a person's ability to exercise their basic social rights. In 46 States and the District of Columbia, convicted adults cannot vote. Thirty-two States disenfranchise felons on parole, while 29 States disenfranchise felons on probation.

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

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MRS. MYRICK

The CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–504.

Mrs. MYRICK. 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:

After section 501 (page 21, after line 14), insert the following new section:

**SEC. 502. PROTECTING THE INFORMATION TECHNOLOGY SUPPLY CHAIN OF THE UNITED STATES.**

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that—

(1) identifies foreign suppliers of information technology (including equipment, software, and services) that are linked directly or indirectly to a foreign government, including—

(A) by ties to the military forces of a foreign government;

(B) by ties to the intelligence services of a foreign government; or

(C) by being the beneficiaries of significant low interest or no interest loans, loan forgiveness, or other support by a foreign government;

(2) assesses the vulnerability to malicious activity, including cyber crime or espionage, of the telecommunications networks of the United States due to the presence of technology produced by suppliers identified under paragraph (1).

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) TELECOMMUNICATIONS NETWORKS OF THE UNITED STATES DEFINED.—In this section, the term ''telecommunications networks of the United States'' includes—

(1) telephone systems;

(2) Internet systems;

(3) fiber optic lines, including cable landings;

(4) computer networks; and

(5) smart grid technology under development by the Department of Energy.

The CHAIR. Pursuant to House Resolution 667, the gentlewoman from North Carolina (Mrs. MYRICK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Mrs. MYRICK. Mr. Chairman, first, like other Members today, I want to express my gratitude and thanks to Chairman ROGERS and Ranking Member RUPPERSBERGER for all of the work that they've done, just the incredible bipartisan working relationship that they've established on our committee. It really is kind of unheard of, and we're very proud of it, and I'm very proud to be a member of the committee.

I rise today to urge my colleagues to support my amendment to the Intelligence authorization bill, and I'm pleased that Representative WOLF is a cosponsor of this initiative, and I'd like to thank him for his support and all his work on this issue.

This amendment would require the Director of National Intelligence to submit an unclassified report to Congress that would identify foreign suppliers of information technology with ties to a foreign government, military, or intelligence service. It would also require the DNI to provide an assessment of the risks associated with such entities.

The U.S. Government has serious concerns about public and private sector information technology supply chains. A network is only as secure as the components that make up that network. If the origin of those components is unknown or the security of those components is compromised, that's a major flaw in the network.

I believe these concerns need to be better shared with industry and the public. Sharing more information along these lines will help the private sector better understand potential risks and take action that will help the U.S. Government mitigate its supply-chain concerns.

The more that the private sector knows of potential problems, the better it can protect itself. If the private sector is more aware of potential risks, then it can better work with the Federal Government to mitigate potential supply-chain concerns.

I would like to thank Chairman ROGERS for his support of this amendment,

and I again urge my colleagues to support the amendment on the floor.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, I rise in opposition to the amendment, though I do not oppose it.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. First, I support this amendment as a continuation of the work that we have begun in Congress as an attempt to focus our intelligence community and the executive Agencies to this important threat that my friend and colleague has made.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. RUPPERSBERGER. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I do not rise on the gentlelady's amendment. In the statement I made on amendment No. 7, I indicated that the CIA officer's name that was undercover, that was not the CIA's undercover agent's name, which I would not give. It was the section station director's name, Mr. Garrett Jones. The CIA agent was undercover and remains unnamed. But he was an African American who did his duty because of his background.

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

Mrs. MYRICK. Mr. Chairman, I yield such time as he may consume to the chairman of our committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. I want to thank the gentlelady from North Carolina, say thank you very, very much for her work on the supply chain and its vulnerabilities. She has spent a lot of time on our committee making sure that we're doing all the right things to try to protect the supply chain when it comes to cyberthreats and other vulnerabilities that may exist, so I couldn't support the amendment more.

Lastly, I would just like to thank the gentlelady. This will be her last authorization bill. She has been a fantastic member of this committee and has brought a lot of stature to the issues she's engaged in—everything from home-grown terrorism to cyber to supply chain management. She has been a national treasure on that committee. She will be sorely missed. I wanted to offer our congratulations and our thanks to a job well done.

Mrs. MYRICK. I thank the gentleman for his kind words, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Mrs. MYRICK).

The amendment was agreed to.

The Acting CHAIR (Mr. PLATTS). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. PLATTS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5743) to authorize appropriations for fiscal year 2013 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and, pursuant to House Resolution 667, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT

Mr. CRITZ. Mr. Speaker, I have a motion to recommit.

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

Mr. CRITZ. I am, in its present form.

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

The Clerk read as follows:

Mr. Critz moves to recommit the bill, H.R. 5743, to the Permanent Select Committee on Intelligence with instructions to report the same back to the House forthwith with the following amendment:

After section 501 (page 21, after line 14), insert the following new section:

**SEC. 502. PROTECTING UNITED STATES MILITARY STRENGTH, TECHNOLOGICAL PROWESS, AND AMERICAN JOBS.**

(a) IN GENERAL.—In obligating and expending funds authorized to be appropriated by this Act, the head of each element of the intelligence community shall take all steps necessary to protect and ensure that—

(1) the intelligence and military capability of the United States is not improperly transferred to or stolen by a foreign nation or a state sponsor of terrorism;

(2) the intelligence and military capability of the United States and sensitive information pertaining to economic, financial, and consumer information is protected from cybersecurity attacks, including cybersecurity attacks from Iran and China; and

(3) contracts and work performed for such element of the intelligence community is first provided to United States companies and workers and not outsourced to foreign-owned companies, unless the Director of National Intelligence determines that it is in the interests of national security.

(b) STATE SPONSOR OF TERRORISM DEFINED.—In this section, the term ''state sponsor of terrorism'' means any country the government of which the Secretary of State determines has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979 (as continued in effect pursuant to the International Emergency Economic Powers Act), section 40 of the Arms Export Control Act, section 620A of the Foreign Assistance Act of 1961, or any other provision of law.

Mr. CRITZ (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

Mr. ROGERS of Michigan. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

□ 1550

Mr. ROGERS of Michigan (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read.

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

There was no objection.

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

Mr. CRITZ. Mr. Speaker, intelligence gathering has always been a key component of keeping America strong and resilient through our history, and it is imperative in this post-9/11 era.

It is crucial that the intelligence community be provided the resources they need to combat threats from foreign powers and global terrorist organizations. This is why I'm offering this final amendment today, to help strengthen our defenses against physical and cybersecurity attacks.

Mr. Speaker, this is the final amendment to the bill. This amendment will not kill the bill or send it back to the committee. If it is adopted, the bill will immediately proceed to final passage as amended.

My amendment contains three components that will ensure we continue to provide the best security to our Nation.

First, it would instruct the head of each element of the intelligence community to take all steps and precautions to ensure that the intelligence and military capability of the United States is not improperly transferred or stolen by a foreign nation or a state sponsor of terrorism.

Mr. Speaker, we live in a time where information is readily available and transferable at the click of a mouse or the stroke of a keyboard. While the advantages of such readily available information have helped spur economic opportunities and growth, it has also opened the door for one of the many intelligence challenges we face as a Nation.

We already have in place a number of protocols that dictate how and under what circumstances our military can transfer technology, goods, and services to our allies across the globe, but it is imperative that we do everything we can to ensure this information doesn't end up in the hands of unfriendly foreign powers or state sponsors of terrorism.

Within the past few years, we have seen foreign nations attempt to steal our Nation's military technology and sensitive information through the use of joint ventures and other techniques. We must do everything that we can to ensure that our military and intelligence secrets remain our secrets. Many of those same capabilities reside in, are accessed through, or are enabled through cyberspace.

Reliable access to cyberspace is critical to U.S. national security, public safety, and economic well-being, but cyberthreats continue to grow in scope and severity daily. Tens of thousands of new malicious software programs originating from Iran or China are identified each day, threatening our security, our economy, and our citizens.

No longer do we need to just worry about foreign spies infiltrating our military and intelligence agencies. Our worry must now extend to the young man or woman sitting in their apartment 6,000 miles away utilizing a laptop to tap into our government mainframes.

Secondly, my amendment would direct the head of each element of the intelligence community to take those steps necessary to ensure that our Nation's intelligence and military capabilities, as well as sensitive economic, financial, and consumer information, remain protected from improper transfer, theft, or cybersecurity attack.

Finally, my amendment would ensure that we continue to promote American businesses and keep jobs—especially one of such crucial importance—in America.

As the number of threats to our Nation has grown and the required response has put a large demand on the intelligence community, we have increasingly relied on contractors to perform tasks to ensure the safety of our Nation. This amendment would instruct our intelligence community to always put American workers first and not outsource these jobs to foreign-owned companies.

Mr. Speaker, I have witnessed the detrimental effects that outsourcing has had. Numerous areas of our country have also seen the ugly effects of outsourcing, and we must put American workers and businesses first, especially in the critical sphere of intelligence.

Compounding the economic damage outsourcing has done to our country, the national security risk posed by allowing foreign companies to operate our intelligence capabilities would be catastrophic to the environment of our Nation.

Mr. Speaker, in the global environment in which we operate, we must keep America strong, keep America competitive, and keep America first.

Mr. Speaker, again, my amendment will be the final amendment to the bill. I have great respect for the chairman, Mr. ROGERS, and the ranking member, Mr. RUPPERSBERGER, for the bipartisan bill they put together. It is important to note that this amendment will not kill the bill or send it back to committee. If it is adopted, the bill will immediately proceed to final passage as amended. My amendment will ensure we have an even stronger American intelligence community.

I urge a ''yes'' vote on this final amendment, and I yield back the balance of my time.

Mr. ROGERS of Michigan. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. ROGERS of Michigan. First of all, this is a motion to recommit. Let's not fool ourselves. And I understand this is the loyal opposition portion of the debate. It happens in each and every bill; I get it.

We've spent a lot of time in a bipartisan way getting the bill, and I think it's one of our better products given the detail with which we went over every budget line and operational detail in this budget. So when I read this, it looks like it was prepared fairly quickly in order to meet the time demand here, and it's very concerning.

In some of the things that we've done—even in this Chamber, we debated the cybersecurity bill and people had strong passions on both sides of the aisle of that bill about protection of civil liberties and just making sure there were checks and balances on our ability just to share information, a very small little piece. When you read this bill, that makes our cybersecurity bill look like a walk in the park. This is an expansion of the government involved in the Internet in a way that I find a little bit scary and shocking that they would allow it to get this far. Let me read it:

> The intelligence community shall take all steps necessary to protect and ensure that—
>
> Sensitive information pertaining to economic, financial, and consumer information is protected from cybersecurity attacks.

That means you've got to reach way out into the Internet. Now you've just empowered the intelligence community—the very people we said we want to keep separate—into the Internet. This is dangerous. That's what happens when you get in a hurry and try to have a political amendment on a very bipartisan bill, and that's unfortunate about this.

The first paragraph, I would submit, we should make as a part of the ''department of redundancy department.'' All of that already happens. We do that as a matter of course and mission.

Again, it's a little bit surprising that they would allow this. I would even hope that your Members would take a very close look at this. You have just put your Members in a pretty bad spot about making them vote on something that will actually have the government involved in your Internet. Welcome to the laptop near you. Very concerning to me.

I will passionately oppose this, would urge all of my colleagues to passionately oppose this, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 180, nays 235, not voting 16, as follows:

[Roll No. 300]

YEAS—180

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

NAYS—235

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

NOT VOTING—16

Burton (IN)
Clay
Doyle
Ellison
Fortenberry
Granger
Guinta
Lewis (CA)
Mack
Maloney
McCarthy (CA)
Rangel
Roby
Slaughter
Velázquez
Young (FL)

□ 1620

Messrs. GOWDY, STIVERS, GRIMM, THOMPSON of Pennsylvania, KINGSTON, COLE, CARTER, MULVANEY and NUNNELEE changed their votes from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. ROGERS of Michigan. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 386, noes 28, not voting 17, as follows:

[Roll No. 301]

AYES—386

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
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 (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
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
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (IN)

NOES—28

Amash
Blumenauer
Capuano
Clarke (NY)
Duncan (TN)
Filner
Frank (MA)
Gibson
Holt
Jackson (IL)
Johnson (IL)
Jones
Kind
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Markey
McDermott
McGovern
Miller, George
Olver
Paul
Polis
Rush
Stark
Woolsey
Young (AK)

NOT VOTING—17

Burton (IN)
Clay
Cleaver
Doyle
Ellison
Fortenberry
Guinta
LaTourette
Lewis (CA)
Mack
McCarthy (CA)
Rangel
Roby
Slaughter
Tiberi
Velázquez
Young (FL)

□ 1628

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1630

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5743, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

PERMISSION TO INCLUDE EXCHANGE OF LETTERS

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent to include an exchange of letters with the chairman of the Committee on Homeland Security with respect to the bill at this point in the RECORD.

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

There was no objection.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
*Washington, DC, May 31, 2012.*

Hon. PETER KING,
*Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding certain intelligence and intelligence-related programs and/or activities of the Department of Homeland Security that are authorized in H.R. 5743, the Intelligence Authorization Act for Fiscal Year 2013.

While the Permanent Select Committee on Intelligence continues to authorize these programs and intelligence-related activities consistent with the legislative history describing the respective jurisdictions of the Permanent Select Committee on Intelligence and the Committee on Homeland Security (Congressional Record, January 4, 2005, page H25), I agree that certain elements of these activities could raise issues that would benefit from discussion amongst the Committees and the Department of Homeland Security with respect to the overall organization of the Department, and would be glad to discuss such issues.

As you asked, I will include a copy of your letter to me and this response in the Congressional Record during consideration of H.R. 5743 on the House floor.

Sincerely,

MIKE ROGERS,
*Chairman.*

---

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOMELAND SECURITY,
*Washington, DC, May 29, 2012.*

Hon. MIKE ROGERS,
*Chairman, House Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.*

DEAR CHAIRMAN ROGERS: I am writing in regards to the Intelligence Authorization Act for Fiscal Year 2013 recently approved by the House Permanent Select Committee on Intelligence—specifically, the section of the legislation that authorizes the newly created Homeland Security Intelligence Program (HSIP) at the Department of Homeland Security (DHS).

As you know, the HSIP, in essence, consists of several activities within the Office of Intelligence and Analysis at DHS that the Director of National Intelligence has deemed should no longer be part of the National Intelligence Program (NIP). While the details of the program are classified, the creation of the HSIP raises new issues that are of mutual interest to our committees and requires further discussion between our staffs and clarification from DHS.

While those discussions are ongoing and will take time, I understand the importance of advancing this legislation to the House floor in an expeditious manner and I do not, in any way, wish to impede that from happening. However, given that there remains issues that our committees must work through with DHS—including how to best fund, organize, and budget certain HSIP activities—I respectfully request that we formally memorialize our mutual agreement to continue our dialogue regarding the HSIP as legislation moves forward as you approach a conference with the Senate.

I also request that this letter and your response be included in the House Permanent Select Committee report of this bill and in the Congressional Record during consideration of this measure on the House floor. Thank you for your attention to this matter.

Sincerely,

PETER T. KING,
*Chairman.*

---

## MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5854, and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 667 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5854.

The Chair appoints the gentlewoman from Michigan (Mrs. MILLER) to preside over the Committee of the Whole.

□ 1632

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. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mrs. MILLER of Michigan 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 Texas (Mr. CULBERSON) and the gentleman from Georgia (Mr. BISHOP) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Madam Chair, I yield myself such time as I may consume.

I know that my colleagues feel the same way I do that one of the most gratifying, most rewarding parts of this extraordinary job that we're entrusted with in addition to being guardians of the Treasury, to being good stewards of the public's business, is to do everything in our power to help ensure that our men and women in uniform have all that they need to do their job as they stand guard and over this Nation 24 hours a day, 7 days a week in every scary, dark corner of the world.

Today, Madam Chair, it's my privilege, with my good friend from Georgia (Mr. BISHOP), to lay before the House and ask for its approval the Military Construction and Veterans Affairs appropriations bill for 2013.

On our committee, we feel as though we are the peace of mind committee for the United States military. We want to ensure in the work that we do in the Military Construction and in Veterans Affairs that we have done everything we can to ensure that our men and women in uniform don't have any worries, that they don't have to worry about when they are in uniform; they don't have to worry about the quality of their barracks, their living conditions; they don't have to worry about the condition of the military facilities that they are living and working in.

We want to make sure that they have got everything that they need. The United States Navy, when it comes to piers or sub pens, or the Air Force for runways, or the Marine Corps or for the Army, we have done everything in this bill that the Pentagon has asked us to do and fully funded it in a way that's fiscally responsible, Madam Chair.

We have also taken care of our veterans, of our men and women in uniform when they leave the Armed Forces and become veterans, because they will spend most of their time out of the military, and we wanted to be sure that our Veterans Affairs Administration was fully funded, that they have got all the resources that they need in order to take care of our men's and women's health care needs, psychological and physical, and in a way that's fiscally responsible.

In this environment, Madam Chair, in this era of record debt and deficit, our subcommittee, along with the full Appropriations Committee, has done everything in our power to find ways to save money, to be good stewards of the public's precious, hard-earned tax dollars. And in our subcommittee, something we have done together in a bipartisan way, arm-in-arm, we have made sure to ferret out every unspent dollar from previous years that could be returned to taxpayers, to avoid spending increases while making sure that our men and women in uniform are taken care of while they are in uniform and also, as I say, when they leave active duty and become veterans under the care of the Department of Veterans Affairs.

We have, because of decreases, Madam Chair, of the Air Force, the Army, the Pentagon, our Armed Forces are reassessing their deployment needs around the world. We've seen a reduction this year in the level of spending requests for military construction around the world that enabled us to increase spending for the Department of Veterans Affairs while holding overall spending for this bill flat. That reflects not only our finding cost savings in various parts of the bill, but, in particular, the Air Force, among the branches of the service, asked for significantly less money this year.

But we have also taken into account in our legislation the pay freeze that is in place for the entire Federal Government. We have applied that to Federal civilian contractors working in the military construction field or for the VA.

We have also, Madam Chair, in our legislation, made sure that the VA uses their construction funds within 5 years. In the past, they simply could hold that money year after year after year; and we want to make sure that that money is used for the purpose that Congress intended it, and that is to build VA facilities.

We have been able to find savings in a variety of other areas, Madam Chair, all of which have permitted us to fully fund the request of the Pentagon in giving our Armed Forces around the world everything that they need to do their job without a worry in the world. If they are out there on watch, guarding the United States of America and protecting our liberty, our committee has made sure to give them as much peace of mind as possible.

Two other things I want to make sure to bring to the Members' attention that is extremely important.

At the Veterans Administration, for years there's been an effort to get a combined medical record. When you're in uniform, on active duty, you have got one set of medical records with the Department of Defense. Then when you enter the Veterans Administration, that medical record is not compatible with the computer systems or their recordkeeping systems at the Veterans Administration, which causes terrible inefficiencies and threatens lives, endangers the health of our men and women in uniform.

This committee has taken very seriously the task that Chairman ROGERS has charged us with to ensure that we move the Department of Defense and the Veterans Administration as rapidly as possible to a unified medical record. Then when our young men and women leave the active duty service, that medical record stays with them in the VA.

□ 1640

Finally, I want to also make sure to thank my good friend, SANFORD BISHOP from Georgia. It's been a privilege to work with Mr. BISHOP and his staff. We are blessed with an extraordinarily capable staff on this committee.

This bill, more than I think perhaps any other, Madam Chair, illustrates how unified the Congress is in support of our men and women in uniform. We have found common ground on every section of this bill, on every issue. We've worked together arm-in-arm to make certain that the men and women of the United States military can focus on their mission of protecting this great Nation with complete peace of mind, knowing that the Congress of the United States is behind them and will support them in all they do.

I reserve the balance of my time.

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2013 (H.R. 5854)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF DEFENSE | | | | | |
| Military construction, Army | 3,006,491 | 1,923,323 | 1,820,323 | -1,186,168 | -103,000 |
| Military construction, Navy and Marine Corps | 2,112,823 | 1,701,985 | 1,551,217 | -561,606 | -150,768 |
| Military construction, Air Force | 1,227,058 | 388,200 | 388,200 | -838,858 | --- |
| Military construction, Defense-Wide | 3,431,957 | 3,654,623 | 3,569,623 | +137,666 | -85,000 |
| Total, Active components | 9,778,329 | 7,668,131 | 7,329,363 | -2,448,966 | -338,768 |
| Military construction, Army National Guard | 773,592 | 613,799 | 613,799 | -159,793 | --- |
| Military construction, Air National Guard | 116,246 | 42,386 | 42,386 | -73,860 | --- |
| Military construction, Army Reserve | 280,549 | 305,846 | 305,846 | +25,297 | --- |
| Military construction, Navy Reserve | 26,299 | 49,532 | 49,532 | +23,233 | --- |
| Military construction, Air Force Reserve | 33,620 | 10,979 | 10,979 | -22,641 | --- |
| Total, Reserve components | 1,230,306 | 1,022,542 | 1,022,542 | -207,764 | --- |
| Total, Military construction | 11,008,635 | 8,690,673 | 8,351,905 | -2,656,730 | -338,768 |
| North Atlantic Treaty Organization Security Investment Program | 247,611 | 254,163 | 254,163 | +6,552 | --- |
| Family housing construction, Army | 176,897 | 4,641 | 4,641 | -172,256 | --- |
| Family housing operation and maintenance, Army | 493,458 | 530,051 | 530,051 | +36,593 | --- |
| Family housing construction, Navy and Marine Corps | 100,972 | 102,182 | 102,182 | +1,210 | --- |
| Family housing operation and maintenance, Navy and Marine Corps | 367,863 | 378,230 | 378,230 | +10,367 | --- |
| Family housing construction, Air Force | 60,042 | 83,824 | 83,824 | +23,782 | --- |
| Family housing operation and maintenance, Air Force | 429,523 | 497,829 | 497,829 | +68,306 | --- |
| Family housing operation and maintenance, Defense-Wide | 50,723 | 52,238 | 52,238 | +1,515 | --- |
| Department of Defense Family Housing Improvement Fund | 2,184 | 1,786 | 1,786 | -398 | --- |
| Homeowners assistance fund | 1,284 | --- | --- | -1,284 | --- |
| Total, Family housing | 1,682,946 | 1,650,781 | 1,650,781 | -32,165 | --- |
| Chemical demilitarization construction, Defense-Wide | 75,312 | 151,000 | 151,000 | +75,688 | --- |
| Base realignment and closure: | | | | | |
| Base realignment and closure account, 1990 | 323,543 | 349,396 | 349,396 | +25,853 | --- |
| Base realignment and closure account, 2005 | 258,776 | 126,697 | 126,697 | -132,079 | --- |
| Rescission | --- | --- | --- | --- | --- |
| Total | 258,776 | 126,697 | 126,697 | -132,079 | --- |
| Total, Base realignment and closure | 582,319 | 476,093 | 476,093 | -106,226 | --- |
| Rescission (Sec. 127): | | | | | |
| Military Construction, Army | -100,000 | --- | --- | +100,000 | --- |
| Military Construction, Navy and Marine Corps | -25,000 | --- | --- | +25,000 | --- |
| Military Construction, Air Force | -32,000 | --- | --- | +32,000 | --- |
| Military Construction, Defense-Wide | -131,400 | --- | -20,000 | +111,400 | -20,000 |
| Rescission (Sec. 128): | | | | | |
| Base Realignment and Closure, 2005 | -258,776 | --- | -212,291 | +46,485 | -212,291 |
| Rescission (Sec. 129): | | | | | |
| Civilian pay raise reduction | --- | --- | -2,334 | -2,334 | -2,334 |
| Total, title I, Department of Defense | 13,049,647 | 11,222,710 | 10,649,317 | -2,400,330 | -573,393 |
| Appropriations | (13,596,823) | (11,222,710) | (10,883,942) | (-2,712,881) | (-338,768) |
| Rescissions | (-547,176) | --- | (-234,625) | (+312,551) | (-234,625) |

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2013 (H.R. 5854)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE II - DEPARTMENT OF VETERANS AFFAIRS | | | | | |
| Veterans Benefits Administration | | | | | |
| Compensation and pensions | 51,237,567 | 61,741,232 | 61,741,232 | +10,503,665 | --- |
| Readjustment benefits | 12,108,488 | 12,607,476 | 12,607,476 | +498,988 | --- |
| Veterans insurance and indemnities | 100,252 | 104,600 | 104,600 | +4,348 | --- |
| Veterans housing benefit program fund | | | | | |
| (indefinite) | 318,612 | 184,859 | 184,859 | -133,753 | --- |
| (Limitation on direct loans) | (500) | (500) | (500) | --- | --- |
| Administrative expenses | 154,698 | 157,814 | 157,814 | +3,116 | --- |
| Vocational rehabilitation loans program account | 19 | 19 | 19 | --- | --- |
| (Limitation on direct loans) | (3,019) | (2,729) | (2,729) | (-290) | --- |
| Administrative expenses | 343 | 346 | 346 | +3 | --- |
| Native American veteran housing loan program account | 1,116 | 1,089 | 1,089 | -27 | --- |
| Total, Veterans Benefits Administration | 63,921,095 | 74,797,435 | 74,797,435 | +10,876,340 | --- |
| Veterans Health Administration | | | | | |
| Medical services: | | | | | |
| Advance from prior year | (39,649,985) | (41,354,000) | (41,354,000) | (+1,704,015) | --- |
| Current year request | --- | 165,000 | --- | --- | -165,000 |
| Advance appropriation, FY 2014 | 41,354,000 | 43,557,000 | 43,557,000 | +2,203,000 | --- |
| Subtotal | 41,354,000 | 43,722,000 | 43,557,000 | +2,203,000 | -165,000 |
| Medical support and compliance: | | | | | |
| Advance from prior year | (5,535,000) | (5,746,000) | (5,746,000) | (+211,000) | --- |
| Advance appropriation, FY 2014 | 5,746,000 | 6,033,000 | 6,033,000 | +287,000 | --- |
| Subtotal | 5,746,000 | 6,033,000 | 6,033,000 | +287,000 | --- |
| Medical facilities: | | | | | |
| Advance from prior year | (5,426,000) | (5,441,000) | (5,441,000) | (+15,000) | --- |
| Advance appropriation, FY 2014 | 5,441,000 | 4,872,000 | 4,872,000 | -569,000 | --- |
| Subtotal | 5,441,000 | 4,872,000 | 4,872,000 | -569,000 | --- |
| Medical and prosthetic research | 581,000 | 582,674 | 582,674 | +1,674 | --- |
| Medical care cost recovery collections: | | | | | |
| Offsetting collections | -3,326,000 | -2,527,000 | -2,527,000 | +799,000 | --- |
| Appropriations (indefinite) | 3,326,000 | 2,527,000 | 2,527,000 | -799,000 | --- |
| DoD-VA Joint Medical Funds (transfers out) | --- | (-280,000) | (-280,000) | (-280,000) | --- |
| DoD-VA Joint Medical Funds (by transfer) | --- | (280,000) | (280,000) | (+280,000) | --- |
| Total, Veterans Health Administration | 53,122,000 | 55,209,674 | 55,044,674 | +1,922,674 | -165,000 |
| Appropriations | (581,000) | (747,674) | (582,674) | (+1,674) | (-165,000) |
| Advance from prior year | (50,610,985) | (52,541,000) | (52,541,000) | (+1,930,015) | --- |
| Advance appropriations, FY 2014 | (52,541,000) | (54,462,000) | (54,462,000) | (+1,921,000) | --- |
| National Cemetery Administration | | | | | |
| National Cemetery Administration | 250,934 | 258,284 | 258,284 | +7,350 | --- |
| Departmental Administration | | | | | |
| General administration | 416,737 | 416,737 | 416,737 | --- | --- |
| General operating expenses, VBA | 2,018,764 | 2,164,074 | 2,164,074 | +145,310 | --- |
| Information technology systems | 3,111,376 | 3,327,444 | 3,327,444 | +216,068 | --- |
| Office of Inspector General | 112,391 | 113,000 | 113,000 | +609 | --- |
| Construction, major projects | 589,604 | 532,470 | 532,470 | -57,134 | --- |
| Construction, minor projects | 482,386 | 607,530 | 607,530 | +125,144 | --- |

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2013 (H.R. 5854)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Grants for construction of State extended care facilities | 85,000 | 85,000 | 85,000 | --- | --- |
| Grants for the construction of veterans cemeteries | 46,000 | 46,000 | 46,000 | --- | --- |
| Total, Departmental Administration | 6,862,258 | 7,292,255 | 7,292,255 | +429,997 | --- |
| General provision- block pay raise COLA (both advance and current) | --- | --- | -93,798 | -93,798 | -93,798 |
| Total, title II | 124,156,287 | 137,557,648 | 137,298,850 | +13,142,563 | -258,798 |
| Appropriations | (71,615,287) | (83,095,648) | (82,836,850) | (+11,221,563) | (-258,798) |
| Advance from prior year | (50,610,985) | (52,541,000) | (52,541,000) | (+1,930,015) | --- |
| Advance appropriations, FY 2014 | (52,541,000) | (54,462,000) | (54,462,000) | (+1,921,000) | --- |
| (Limitation on direct loans) | (3,519) | (3,229) | (3,229) | (-290) | --- |
| Discretionary | (60,391,368) | (62,919,481) | (62,660,683) | (+2,269,315) | (-258,798) |
| Mandatory | (63,764,919) | (74,638,167) | (74,638,167) | (+10,873,248) | --- |
| TITLE III - RELATED AGENCIES | | | | | |
| American Battle Monuments Commission | | | | | |
| Salaries and expenses | 61,100 | 58,400 | 59,290 | -1,810 | +890 |
| Foreign currency fluctuations account | 16,000 | 15,200 | 15,200 | -800 | --- |
| Total, American Battle Monuments Commission | 77,100 | 73,600 | 74,490 | -2,610 | +890 |
| U.S. Court of Appeals for Veterans Claims | | | | | |
| Salaries and expenses | 30,770 | 32,481 | 31,187 | +417 | -1,294 |
| Department of Defense - Civil | | | | | |
| Cemeterial Expenses, Army | | | | | |
| Salaries and expenses | 45,800 | 45,800 | 173,733 | +127,933 | +127,933 |
| Armed Forces Retirement Home - Trust Fund | | | | | |
| Operation and maintenance | 65,700 | 65,590 | 65,590 | -110 | --- |
| Capital program | 2,000 | 2,000 | 2,000 | --- | --- |
| Armed Forces Retirement Home - General Fund | | | | | |
| Capital program | 14,630 | --- | --- | -14,630 | --- |
| Total, Armed Forces Retirement Home | 82,330 | 67,590 | 67,590 | -14,740 | --- |
| Total, title III | 236,000 | 219,471 | 347,000 | +111,000 | +127,529 |
| TITLE IV - OVERSEAS CONTINGENCY OPERATIONS | | | | | |
| Military Construction, Army | 80,000 | --- | --- | -80,000 | --- |
| Military Construction, Navy and Marine Corps | 189,703 | --- | 150,768 | -38,935 | +150,768 |
| Rescission (P.L. 112-10 and P.L. 112-74) | -269,703 | --- | -150,768 | +118,935 | -150,768 |
| Total, title IV | --- | --- | --- | --- | --- |

Military Construction - Veterans Affairs - and Related Agencies Appropriations Act - FY 2013 (H.R. 5854)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Grand total | 137,441,934 | 148,999,829 | 148,295,167 | +10,853,233 | -704,662 |
| Appropriations | (85,448,110) | (94,537,829) | (94,067,792) | (+8,619,682) | (-470,037) |
| Rescissions | (-547,176) | --- | (-234,625) | (+312,551) | (-234,625) |
| Advances from prior year | (50,610,985) | (52,541,000) | (52,541,000) | (+1,930,015) | --- |
| Advance appropriations, FY 2014 | (52,541,000) | (54,462,000) | (54,462,000) | (+1,921,000) | --- |
| Overseas contingency operations | --- | --- | --- | --- | --- |
| (By transfer) | --- | (280,000) | (280,000) | (+280,000) | --- |
| (Transfer out) | --- | (-280,000) | (-280,000) | (-280,000) | --- |
| (Limitation on direct loans) | (3,519) | (3,229) | (3,229) | (-290) | --- |

Mr. BISHOP of Georgia. I yield myself such time as I may consume.

Madam Chairman, as you know, the allocation provides $71.7 billion for the FY 2012 Milcon-VA bill, which is equal to the FY12 enacted bill. In my opinion, the allocation is what we could have expected if the Republicans would have stuck to the bipartisan agreement that established $1.047 as the committee's allocation.

I've stated at every step of this process that I strongly disagree with the path that the majority has chosen to take. I just want to point out that the $1.028 trillion allocation puts House Republicans at odds with House Democrats, Senate Democrats, Senate Republicans, and the White House. In fact, the Statement of Administration Policy recommends a veto of this bill because the overall 302(a) allocation fails to stick to the framework established by the Budget Control Act. I believe the lower allocation does nothing but slow down the appropriations process, and if it stands, will stall economic growth and impede job creation.

With that being said, I'm pleased to join Chairman CULBERSON as the House takes up the fiscal year 2013 appropriations bill for Military Construction, Veterans Affairs, and related agencies. The Milcon-VA bill is critically important to the strength and the well-being of our military, our veterans, and the families who sacrifice so much to defend our country. In fact, Madam Chairman, I find it quite fitting that we're debating this bill after observing Memorial Day earlier in the week.

Working with Chairman CULBERSON and the members of the subcommittee, we've crafted a bill that will address the funding needs of military construction and family housing for our troops and their families, as well as other quality of life construction projects. In addition, it will provide funding for many important VA programs as well as agencies like the Veterans Court of Appeals and the American Battle Monuments Commission.

The bill before us today touches every soldier, sailor, marine, and airman. In addition, the bill will also impact military spouses, their children, and every veteran that participates in our VA programs.

I want to commend the chairman for his work. Together, we sat through numerous hearings, gaining valuable insight into the workings of all of the agencies under our subcommittee's jurisdiction. I would also like to thank all of our subcommittee members and recognize them for their hard work on the bill. We had a lot of contributions and a lot of input. I believe that the minority was treated fairly during this process, and I want to thank the chairman for ensuring this bipartisan result.

Chairman CULBERSON has already provided the funding highlights in the bill, and I won't repeat them all, but I would like to point out a few items that I think are very important.

DOD Schools. The bill before us today includes $546 billion for the renovation and replacement of 10 Department of Defense schools. Madam Chairman, I believe that providing the funds for DOD schools will help our servicemembers' children get a quality education in a safe facility, and it will give our servicemembers and their families some peace of mind.

Medical Center Replacement. I was pleased that in the bill we were able to include $127 million for the second increment for Medical Center Replacement in Germany. As you know, a large proportion of serious casualties from the Iraq and Afghanistan theaters are treated there, and I'm pleased to see that we're making this important investment in Landstuhl.

Veterans Affairs. For Veterans Affairs, I'm very pleased that the bill meets the discretionary budget request in all areas of administrative expenses, research, medical care, information technology, and facilities. The bill contains $54.4 billion in advance appropriations for medical services, medical support and compliance, and medical facilities at the VA, which is $1.9 billion above the amount included in FY12.

Madam Chairman, I strongly believe that advance funding provides timely and predictable funding for the veterans' health care system, and they don't have to worry about the exigencies of a budget not being agreed to or appropriations bills not being passed for their medical care.

Overall, the bill provides adequate funding for programs included in the bill. However, I'm especially troubled by one of them. Unfortunately, during the full committee markup an amendment was adopted that essentially nullifies the decisionmaking ability of the Department of Defense to use a project labor agreements business model. The sponsor of this language believes that it doesn't limit the Department from using PLAs. Unfortunately, that's not the case. I had the minority subcommittee staff check with the Department regarding this language. The Department confirmed that if this bill is enacted with the current PLA language included, it would prohibit the Department from soliciting bills for FY13-funded construction contracts where, as a condition of award, the awardee must negotiate a project labor agreement.

In addition, we do not know the effect this language could have on other agencies included in this bill. Using the Milcon-VA bill to address this issue is really the wrong place to do it. This language is purely an ideological and political provision that goes well beyond the scope of this bill. The Milcon-VA bill has always enjoyed broad bipartisan support and avoided divisive issues like this one, no matter which party held the gavel. I believe that including this language will only cause unnecessary complications and does nothing to help our servicemembers and our veterans.

Madam Chairman, please know that as we continue through the process I will work to address this issue because an item like this has no place in a bill that has always placed our troops, their families, and our veterans above ideology.

Before I close, Madam Chairman, I would like to recognize the staff for all of the hard work and the time that they have put into this bill. From the minority committee staff I would like to thank Matt Washington, Danny Cromer, as well as Michael Reed and Chris Chon from my personal office. From the majority committee staff I would like to thank Donna Shabazz, Sue Quantius, Sarah Young, and Tracey Russell.

I would also like to thank Mr. DICKS and Mr. ROGERS, who serve as the distinguished ranking member and chairman of this committee and who set an extremely great example of how committees and ranking members and chairmen should work together. There's a collegial atmosphere, although we do have reasonable minds disagreeing on several of the issues. But we work together collegially, and I thank the chairman and the ranking member, Mr. DICKS and Mr. ROGERS, for their example in doing so.

I reserve the balance of my time.

Mr. CULBERSON. It's my privilege at this time to yield 5 minutes to the chairman of the full committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time.

Madam Chair, I rise in support of this bill. Earlier this week, we celebrated Memorial Day—a day to commemorate those warfighters who made the ultimate sacrifice in the name of our great Nation. I can think of no better bill to take up this week in honor of those heroes.

□ 1650

We know the risks our troops take to fight for our freedom, and it's the duty of Congress to care for them accordingly.

This bipartisan legislation ensures that our troops and veterans have the vital resources they need and deserve to fight successfully, have a sufficient quality of life, and stay healthy. This bill is funded at the same level as last year, $71.7 billion in discretionary funding for construction efforts here and abroad, and for veterans health, job training, and disability and education benefits programs.

Included in this total is $1.65 billion for military family housing, ensuring quality housing for more than 1.2 million military families. Also included is funding for the improvements of existing military medical facilities and the continued construction of new ones to ensure rapid and quality care for our wounded troops.

As a result of savings from the planned drawdowns in construction and declining BRAC costs, as well as rescissions of excess prior-year funds and

other efficiencies, we were able to increase spending on veterans health discretionary funding by more than $2 billion while holding the line on overall spending.

But these increases were not without stringent oversight. We know there are areas where the VA can improve, so we've required them to report on construction expenditures and savings, and restricted them from taking certain spending actions without telling the Congress first. This bill continues to implement our committee-wide—indeed, House-wide—mission to smart, sustainable spending without negatively impacting our warfighters or vets.

You'll see that this bill was written very deliberately to most effectively provide for our troops and our veterans with the most careful and streamlined use of taxpayer dollars.

I want to commend Chairman CULBERSON and the ranking member, Mr. BISHOP, for their dedication and mutual respect as they crafted this legislation. There's not a subcommittee in our full committee that has the kind of cooperative spirit that this subcommittee has. Their staff and the members have worked hard and well to ensure that we bring a great piece of bipartisan legislation before the body today.

Last but not least, I also want to thank one former member of the subcommittee staff specifically for his tireless service, Tim Peterson, as he embarks on his retirement after more than 30 years of Federal service. Tim was most recently the clerk of this subcommittee, and as a member of the appropriations staff, has worked on veterans issue, among others, for almost 20 years. He also served on the Defense Subcommittee for 6 years. Before joining the committee staff in 1989, Tim was a budget analyst in the Office of the Navy Comptroller. Staff and members of the committee alike all agree that he was one of our best—knowledgeable, accurate, always professional.

He was a very calming presence. No matter what was thrown his way, he always rose above the fray and the hardships in order to get things done. His expertise and dedication will be greatly missed, and I thank him for his years of service.

One thing I want to mention in closing, the chairman mentioned language in the bill which I'm very grateful for dealing with the sharing of medical records between the DOD and the Veterans Department. A few years ago, 2 or 3 years ago, I learned of a young soldier in my district who was hit by an IED in Iraq and was blinded in one eye and had some vision in the other eye. And when he was discharged, went to the veterans hospital because he was losing the vision of the other eye. They were unable to help him because they didn't know what the military hospital had done when they operated in his forehead around his eyes, and they couldn't get the records out of DOD at the veterans hospital to help him with his problem. The result was he lost his remaining eyesight.

The CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. I yield the gentleman an additional 1 minute.

Mr. ROGERS of Kentucky. He lost the vision of the second eye simply because the veterans hospital could not get access to the military hospital after he was injured, I assume, from the hospital in Germany. That is unforgivable, that two Federal Agencies both dealing with military and veterans, can't share records. And so the language in the bill, which I am very grateful to the chairman and the ranking member for including, hopefully will force these two Departments to mesh these medical records so that we can save lives and save veterans and soldiers from untold misery.

As we remember those who lost their lives in battle, Madam Chair, we are reminded that we can provide our Nation's troops, our veterans, our military families, with the programs and services they have earned as a result of their service and sacrifice. So I urge my colleagues to support this bill.

Mr. BISHOP of Georgia. At this time I'd like to yield such time as he may consume to the gentleman from Washington (Mr. DICKS), the distinguished ranking member of the full committee.

Mr. DICKS. Madam Chair, I rise in support of the Fiscal Year 2013 Military Construction and Veterans Administration Appropriation bill. This bill continues the strong tradition of bipartisanship and finding common ground as members traditionally work together to fund construction of military facilities and strive to improve the quality of life and care afforded to our veterans and military families.

I want to associate myself with the remarks made by Chairman ROGERS about Tim Peterson. He was and has been one of our outstanding clerks on the committee. I have had the pleasure of working with him throughout his entire career, and we're going to miss him, but wish him well in his future endeavors.

I also would say that this subcommittee has a very strong staff, and it's great to see the way Chairman CULBERSON and Ranking Member SANFORD BISHOP have worked together.

And I want to say also that Chairman ROGERS is absolutely correct, we have to overcome this inability to get information between our military and veterans hospitals, and the private sector as well. We've got to do everything we can to improve the treatment of our troops.

I have previously stated my objection to the Majority's decision to renege on the bipartisan agreement that was reached less than a year ago in the Budget Control Act. I believe the reduced discretionary allocation in the Ryan budget threatens to stall economic growth and job creation, and in the near term it introduces uncertainty in our appropriations process that imperils our ability to produce these bills in a timely manner. Accordingly, it is my belief that we could save a considerable amount of time in the appropriations process if we simply returned to the agreement reached last August—the $1.047 trillion allocation level for this year—a level which even the Republican Senate leadership concedes is where we will eventually end up.

I am, however, encouraged that this bill fully funds the Department of Veterans Affairs discretionary budget request of $60.7 billion. It meets the overall budget request in all areas of administrative expenses, research, information technology and facilities. The recommendation contains $74.6 billion for the mandatory VA programs providing compensation and pensions, educational benefits, vocational rehabilitation, life insurance and housing loan programs.

I am particularly pleased that the Military Construction account includes $546.9 million for construction and replacement of Department of Defense Education Activity schools. A total of 10 schools will be refurbished with this funding—six in the United States and nine schools at overseas installations. Many of these schools are in exceedingly poor condition and these improvements are long overdue. I have been a strong advocate for the modernization of schools serving the children of our nation's service members and I commend the Chairman and Ranking Member on their commitment to this effort.

In addition, this bill continues to ensure that we are providing high-quality, safe, and healthy living accommodations for our single military members. Many of the older barracks in the military are at the end of their 30 to 50-year design life cycle and do not meet current design standards or current building codes. This bill includes $927 million for 21 barracks, dormitories, and bachelor enlisted quarters that will address substandard living conditions and boost morale among our troops. While this bill makes significant progress in addressing current deficiencies, it does not address all the housing shortfalls for our single service members. The quality of our installations is a measure of the nation's commitment to the troops who defend it, and we must continue to improve the substandard conditions of the military's barracks, dormitories, and bachelor quarters in the future. I encourage the Department of Defense to continue to replace these facilities in a timely manner.

There is one provision in the bill that concerns me. During full committee consideration, an amendment was passed that would restrict the use of Project Labor Agreements on military construction projects. Current policy gives the Defense Department the option to choose whether a PLA is appropriate for a particular project—whether it will save money or accelerate construction schedules at the government's convenience. An amendment will be offered on the floor later today to remove this harmful language and I encourage my colleagues to vote for it.

Mr. CULBERSON. Madam Chair, at this time I would like to yield 2 minutes to my good friend, the gentleman from Mississippi (Mr. NUNNELEE).

Mr. NUNNELEE. Madam Chair, I rise in support of this legislation and commend Chairman CULBERSON and Ranking Member BISHOP on their work and the subcommittee on this bill.

Earlier this week, we remembered Memorial Day and many of us around the Nation gave words in recognition of those who paid the ultimate sacrifice in defense of freedom. It is altogether fitting and proper that we would do that, but our words need to be backed up with actions. This bill provides the action that backs up our words.

In hearings before the subcommittee, we heard from Marine Corps Sergeant Major Michael Barrett; and in his testimony, his phrase echoed in my mind. He said keeping the faith goes both ways.

Well, our Constitution makes it clear that the obligation of our Federal Government is to provide for the common defense. This bill keeps the faith for those men and women who are providing for that common defense. We make sure that our military has the resources and the facilities needed to train, to house, to educate their families, to equip our servicemembers. But it also makes sure that we have the resources to provide health care and benefits to those veterans who have served. And to make it quite clear, we're not giving those veterans anything. They have earned every bit of it. They honored their commitment. It's important that the Nation honor our commitment back to them.

And while this bill keeps the faith with our military, it also keeps the faith with the taxpayers. We're doing our part to curb spending by funding those Departments at a more responsible and effective-use level. It provides an increase in funding for veterans health care; but by cutting military construction, we provide level funding, and that's a responsible thing to do.

Mr. BISHOP of Georgia. At this time I'm happy to yield 2 minutes to the gentlewoman from California (Ms. LEE).

□ 1700

Ms. LEE of California. First let me thank you, Congressman BISHOP, for yielding time, and also for your very thoughtful and steady leadership as our ranking member on this Appropriations Subcommittee. We appreciate your leadership.

Also, I want to thank the chairman and, again, our ranking member for your bipartisan efforts, and also for including language in this bill which would require the Department of Veterans Affairs to report to Congress detailed plans to eliminate the backlog and improve the accuracy of the claims process within 6 months.

I introduced this language because, first, I just have to say, as the daughter of a military veteran, I know firsthand the sacrifices and the commitment involved with military service. But let me say this: It is just totally unacceptable and shameful to force the very people who put their lives on the line to wait months—and, in some cases, years—to receive the benefits that they have earned.

Last week, I joined with my colleague, Congresswoman JACKIE SPEIER, and over 200 veterans at an event to address the backlog at the Oakland Veterans Affairs regional office. We listened to the veterans as they came up to speak one by one with a story and a struggle. The pain and suffering of these veterans, it was overwhelming. I wish, Mr. Chairman and Mr. Ranking Member, you could have been there to listen to this testimony. Hopefully, we'll be able to share some of that with you and with the subcommittee because this language that we put in really will address many of the issues that were raised.

For example, I heard one of my constituents say that he waited 6 months just for the paperwork and spent another 2 years waiting for the Oakland Veterans Affairs office to consider his request to upgrade his disability rating for posttraumatic stress. This young man sacrificed a great deal going overseas to fight for our country, and yet now he has been asked to put his life on hold—really, just on hold—until his claim is processed. There are thousands of other stories just like his where veterans are waiting an average of 320 days to see some relief.

The CHAIR. The time of the gentlewoman has expired.

Mr. BISHOP of Georgia. I yield the gentlelady an additional 30 seconds.

Ms. LEE of California. I just want to conclude by saying, now the VA is saying that they will reduce this backlog and improve accuracy by 2015, but waiting 3 more years is really quite unacceptable. Veterans in my district and throughout the country cannot wait any longer, Madam Chair. These veterans served our country when we needed them, and it's our responsibility as a Nation to be there when they need us.

So I want to thank you again for inserting this language into the bill, and hopefully this will be the beginning of some justice for these veterans who deserve it.

Mr. CULBERSON. Madam Chairman, I want to assure my colleague from California and all the Members, and all the members of the military tonight listening, if you have retired recently, our subcommittee is going to really bore in on this and make sure that the claims backlog is dealt with, that it's done expeditiously. Obviously, we want to make sure that these men and women who, again, have earned everything that this country can possibly give them, to make their life comfortable and secure, to make sure that their health is taken care of, that that claims backlog is dealt with.

I also want to reassure my colleagues—and I know that we've got a rapt audience at the Veterans Administration here tonight as well—that we are going to really bore in on this medical records problem. It is utterly unacceptable for Federal bureaucracies to not work together on something as vitally important as medical records.

The example that Chairman ROGERS gave us of a young man who lost his eyesight because of a bureaucratic inadequacy and just foolishness is just not acceptable. We had another story of a young man who actually lost his life in BILL YOUNG's district, Chairman YOUNG of Florida. So we're going to make sure that those issues are dealt with, and again, to make sure that our men and women in uniform don't ever have to look over their shoulder to worry about what the United States Congress has done to support them.

I reserve the balance of my time.

Mr. BISHOP of Georgia. At this time I'd like to yield 2 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I certainly want to thank the ranking member for yielding. I want to thank my good friend from Texas, Chairman CULBERSON, thank both of them for this bipartisan approach.

Mr. Chairman, contract and other non-VA medical providers play a vital part in the VA medical system, providing veterans medical services throughout the State of Texas and the United States where the VA doesn't currently operate VA-run and -staffed facilities.

Despite the critical role that they play throughout Texas, many of these providers in my south Texas district are experiencing continuing issues with receiving timely compensation for services rendered. Many of the past-due claims are well over 60 days past due.

Non-VA medical providers are dedicated to providing the highest quality medical care possible to the veterans, providing them choice; however, they operate on a fee basis and rely on timely compensation for services rendered to continue to operate. If these providers are unable to receive timely payment from the VA, economic reality will eventually force them to stop providing services to the veterans.

A factor that further complicates this situation is the VA's overall lack of responsiveness to inquiries from medical providers and even Members of Congress about past-due medical payments.

Mr. CULBERSON. Will the gentleman yield?

Mr. CUELLAR. I yield to the gentleman from Texas.

Mr. CULBERSON. Yes, Mr. CUELLAR. Absolutely, we're going to bore in on this.

MD Anderson, of course, is one of the Nation's greatest cancer centers. We have had complaints and concerns expressed to my office about the slow pay of the Veterans' Administration for MD Anderson's treatment of VA patients. And absolutely, we're going to get to the bottom of it. There's just no excuse for it.

If services have been rendered—and clearly, MD Anderson, again, if you're lucky enough to be treated by MD Anderson, they're the greatest in the world. We're going to make sure that they're paid promptly. I understand that MD Anderson is currently owed over $1 million. It's just unacceptable. We'll do everything we can to help.

The CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Georgia. I yield the gentleman an additional 30 seconds.

Mr. CUELLAR. I yield to the gentleman from Texas.

Mr. CULBERSON. I also want to be sure to thank my colleague from Texas (Mr. CUELLAR) and say how much I've enjoyed working with him over the years in securing our border in Texas. We've got language in the bill, which Mr. CUELLAR suggested, to encourage the Army National Guard to work with our Border Patrol and law enforcement authorities on the border in a cooperative way to ensure that the laws are enforced because, of course, we want that border to work securely and fairly so we get that strong economic growth back and forth while keeping out the criminals and gunrunners. HENRY, you've been a leader in this effort to secure the border, and it's a privilege to work with you on this

Mr. CUELLAR. Thank you, Mr. Chairman and ranking member.

Mr. CULBERSON. Madam Chairman, at this time I'd like to yield 2 minutes to my good friend from Kansas (Mr. YODER).

Mr. YODER. Thank you, Mr. Chairman.

I just want to join the chorus of those who appreciate the work done on the Military Construction-Veterans Affairs Committee. The work by Chairman CULBERSON and Ranking Member BISHOP is a true spirit of bipartisanship, and it shows what we're capable of when we work together towards a common goal.

It's hard to think of an issue more important than honoring our Nation's veterans, those men and women who stood in the field of battle, who assumed the call of duty, served admirably, protecting our Nation and protecting freedom and liberty around the world. So this committee and this appropriations bill is important to me.

As a freshman member of the committee, I can think of no better place than to be in a position to help advocate for our men and women who serve the country. After that service is concluded, it's our responsibility as a Nation to honor that commitment by ensuring that the benefits are high quality and are there, and that the access is available to those whom it was promised to.

I commend the committee for working with the Veterans Affairs Department and other areas of the government to find and ensure that our constituents and folks across this country who served receive the benefits they were promised, and they receive the access and quality and all sorts of things, from physical to mental health care, to our facilities, making sure they're quality facilities, renovated, and that the men and women receive the care that was promised, because these benefits are earned, not given. That's a topic I think that's very near and dear to these veterans is that these services were earned in the field of battle. They were earned through service, and it is our responsibility and our duty to honor that commitment.

So I look forward to continuing to work with the committee, look forward to working with Members of both parties as we continue to do all that we can. And I join the efforts of the chairman to ensure that resources are going to the proper spots, that it's being done quickly and adequately, and that we don't have veterans waiting and waiting forever to get the services they were promised. It's our duty and responsibility to honor that commitment, and I am here to stand in strong support of the budget that the committee has put together today.

Mr. BISHOP of Georgia. At this time, Madam Chairman, I reserve the balance of my time.

Mr. CULBERSON. Madam Chairman, at this time I'd like to yield such time as he might consume to the distinguished gentleman from Pennsylvania (Mr. ALTMIRE) for the purpose of a colloquy.

Mr. ALTMIRE. Madam Chairman, let me thank Chairman CULBERSON for his excellent work on this important bill which funds our Nation's military construction projects and provides support to the infrastructure that serves our Nation's veterans.

□ 1710

The Veterans Affairs campus located in Butler, Pennsylvania, provides critical health care services to veterans across western Pennsylvania. Two years ago I worked with my colleagues to provide $8.5 million to make improvements to the campus to ensure the veterans in our community receive the best care in the most up-to-date facilities.

Despite these improvements, the VA has plans to move forward with construction of an offsite health care center. And while this is a laudable initiative by the VA, many veterans in our community are worried that the construction of this new center will lead to the elimination of services that are currently available to them at the Butler VA, which is a valuable asset to the community relied upon by veterans throughout western Pennsylvania.

Valid questions about the rationale behind constructing a new facility have been raised in the veterans' community, and their input should be heard. Any new, offsite facility should complement, not replace services currently provided at the Butler VA campus. My colleagues and I will continue to monitor this issue to ensure the highest quality services to veterans will continue to be provided at that facility now and in the future.

I yield to the Representative of the Butler VA facility, my friend, Congressman MIKE KELLY.

Mr. KELLY. Madam Chairman, I thank the chairman for the hard work on this vital appropriations bill.

I met with some veterans back in Butler on Tuesday morning, and their concern is with the Butler campus and the building of a new health care center. Now, here's where the questions come. Specifically, they want to know why the VA would build a brand new, $16 million health care center while the existing facility, Building Number 1, was recently renovated, upgraded, and provides roughly 70,000 more square feet than the new health care center.

The decision to build the new health care center was done with no public hearing, which the VA readily admits. And according to local veterans, the VA failed to provide a forum for their input.

Now, veterans in my district would like to be reassured that the services they currently receive will be met and exceeded without any disruption in continuity. Many would like to know why a new facility is being built when the current facilities could have been further upgraded, and the potential savings could have been used to improve the quality of the service provided.

The VA should respond to the veteran community with reassurances that the care and service at the Butler VA is being enhanced, not diminished by the construction of a new health care center.

Mr. CULBERSON. Will the gentleman yield?

Mr. ALTMIRE. I yield to the gentleman from Texas.

Mr. CULBERSON. Madam Chairman, my colleagues from Pennsylvania raise a really important issue that absolutely the subcommittee will look into. It's a constant source of concern for us to see Federal agencies waste our constituents' precious tax dollars for, it appears to me from the way you've described it, possible elimination of existing good service, duplication of existing service, and unnecessary expenditure of tax dollars.

We will work very closely with you and do all that we can to help make sure that the veterans that you represent are being given the very best possible health care at the best value for taxpayers.

Thank you very much.

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

Mr. CULBERSON. Madam Chairman, I yield 2 minutes to a friend and colleague from Texas, Judge JOHN CARTER.

Mr. CARTER. Madam Chairman, I thank the distinguished chairman of the Military Construction and Veterans Affairs Appropriations Subcommittee, on which I have the joy to serve, and I commend him on a great product, and I commend Mr. BISHOP on a great product.

Madam Chair, I rise today in support of H.R. 5854, the Military Construction and Veterans Affairs appropriations bill. This bill is very important because it takes care of our soldiers and our warriors, wherever they may be, their families, and the Nation's veterans.

This bill ensures our warriors and their families will have quality housing, schools, medical and dental facilities, training facilities and much, much more. In fact, this bill provides a recommendation of over $546 million for the construction or replacement of DOD education activities and schools.

As a consequence, what we appropriate with this bill is a peace of mind dividend to our warriors because they're like parents everywhere: you've got to worry about your kids and their schools when you're away doing your job. So this is an indication by us that our Nation cares for our soldiers and our warriors, wherever they may be, and want to provide the best.

Madam Chair, this bill is a good bill. And yet, it meets the obligations we have to these warriors, and we stay within our projected view that it's time for us to keep a close eye on and squeeze every budget to make sure that we're saving the taxpayers' dollars.

Chairman CULBERSON has been a warrior on behalf of those savings and, joined by Mr. BISHOP, they have produced a good product, one that is worthy of this Congress and worthy of this country. And I'm glad to have had a small part in that.

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

Mr. CULBERSON. Madam Chairman, at this time I'd like to engage in a colloquy with the distinguished chairman of the House Transportation Committee, Mr. MICA of Florida. I yield 2 minutes to the gentleman for that purpose.

Mr. MICA. Thank you so much, Mr. CULBERSON, for yielding to me. I appreciate the gentleman yielding for the purpose of this colloquy.

Madam Chairman, as you may know, the new Veterans' Administration Medical Center under construction in central Florida has experienced some serious delays and possible cost overruns that have raised significant concerns for Florida veterans who have earned and deserve this facility.

With Florida's growing veteran population and more veterans returning to our State from current conflicts, this facility is, in fact, key to keeping our pledge to aid those who served our Nation. It is important to clearly state the intent and the serious commitment of Congress that this new facility should be completed as soon as possible, and also make certain that we do everything in our power to ensure that the Federal resources necessary are available to complete that project.

Is this your intent?

Mr. CULBERSON. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from Texas.

Mr. CULBERSON. Yes, absolutely, Chairman MICA. We're going to ensure that there are enough Federal resources to complete that veterans facility, but also to ensure that we're good stewards of the treasury and that our tax dollars are spent wisely and carefully. And we're going to make certain that the VA is not wasting money and not engaging in cost overruns, sir.

Mr. MICA. Well, thank you. And I'm so appreciative of your commitment and support. This is very important to our veterans, and we are most appreciative of the commitment you've made to central Florida and those that have served our Nation, not only on this, but all the projects.

Mr. CULBERSON. Thank you, Chairman MICA. You've been a stalwart leader on behalf of veterans for many years here in Congress. And thank you for bringing this to our attention. The subcommittee is going to give it our full attention and make sure that facility is built in a way that's cost effective and takes care of your veterans.

Mr. BISHOP of Georgia. Madam Chairman, we have no more speakers. I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, as we wrap up the opening part of this bill, I think it's important to point out to the Members of the House, to the country, that this is the third appropriations bill that has been brought to the House floor under the leadership of Chairman ROGERS, the third appropriations bill that we've brought up as a new majority in the House. And this, to my knowledge, is the first time in American history that there have been three successive spending bills in a row.

Mr. DICKS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Washington.

Mr. DICKS. I know the gentleman wouldn't want to mislead the House. This is the second bill. We're going to get to the third bill, but this is number 2.

Mr. CULBERSON. What I was remembering, my good friend, Mr. DICKS, is when we first came in the spring, I think there was an omnibus bill that had to be dealt with.

Mr. DICKS. That was last year. H.R. 1. We remember it. It was 800 amendments, 600 on your side, 200 on our side.

Mr. CULBERSON. What we've done, I know on this committee, is work arm-in-arm to find ways to solve the Nation's problems.

Mr. DICKS. We're going to get the third one up tomorrow or maybe tonight even.

Mr. CULBERSON. We are indeed. We're going to finish this bill tonight, Mr. DICKS. But it's important to point out, I think, that Chairman ROGERS deserves a great deal of credit. This committee has worked. We have searched every nook and cranny we can of the Federal budget under our jurisdiction to save every possible dollar we can, and this is the first time, certainly in my memory and my knowledge of American history, that we've had multiple appropriations bills in a row that have reduced Federal spending.

□ 1720

Our constituents want us to do, obviously, far more. Yet when it comes to the military, when it comes to Veterans Affairs, we have worked arm in arm to save every possible dollar while at the same time preserving the quality of care for our veterans in the VA health care system. Then, in the armed services of the United States, when they're in uniform, we have made certain that all of their needs are taken care of when it comes to housing, when it comes to the education of their kids, when it comes to the caliber of the facilities that they have to live and work in. So it is our privilege to bring this bill to the House tonight in a bipartisan fashion.

I yield back the balance of my time.

Mr. FARR. Madam Chair, this past weekend, we remembered the patriotic sacrifice of those that have lost their lives in service to our country, and, today we renew our commitment to keep our promise to the nation's more than 2 million troops and reservists, their families, 22.2 million veterans, and 35.5 million family members of living veterans or survivors of deceased veterans.

This committee has a strong history of working in a bipartisan way to produce a bill that supports our active duty servicemembers, our veterans and their families, and this bill is no exception.

I commend the Chairman and Ranking Member for their hard work in ensuring that this bill is another significant step in fulfilling the promise our country made to leave no veteran behind.

For example, the Office of the Inspector General recently filed a report that identified weaknesses in the VA's mental health care system. With the mental health needs of our returning servicemembers increasing, it is vital that the VA get this right.

The bill before us today provides resources to implement the recommendations of the OIG to provide timely access to mental health care services. We have an obligation to take care of our veterans' physical AND mental health, and I am glad this bill recognizes that critical fact.

Additionally, I am pleased to see that this bill again emphasizes the needs of our veterans in rural areas. The National Cemetery Administration has stated that 10% of all veterans will not have access to a burial option in a national, State or tribal cemetery within 75 miles of their home.

While the strategy to extend services to some rural veterans outlined in the 2013 budget request is a good first step, it fails to address a long term strategy to fix this problem. This bill instructs the VA to correct this oversight and, on behalf of Central Coast veterans, I look forward to the Secretary's report on the VA's long term strategy to address the burial needs to rural veterans.

I would note that while this bill is $13.2 billion above last year's enact level, it is also $259 million less than the President's request. While I am glad to see this bill has been protected from Ryan budget cuts, I strongly believe this Congress needs to get back to the balanced approach we agreed to in the bipartisan Budget Control Act.

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

It seems Republicans are incapable of legislating without exacting a toll from federal employees.

Earlier this year, in order to prevent a Social Security tax increase on all Americans, House Republicans insisted that future federal employees nearly quadruple the amount they contribute to their own retirement.

Without a corresponding increase in benefits, the larger contribution was simply a pay cut.

After the tax extenders bill, Republicans sought a toll from federal employees on the Transportation Reauthorization bill.

That bill's price for federal employees was a 1.5 percent reduction of agencies' contribution to their retirement benefit.

Federal employees would have been forced to make up the difference—again, a pay cut.

The most egregious attack, unsurprisingly, came from the Budget Resolution offered by Mr. RYAN.

Mr. RYAN's budget directed the House Oversight and Government Reform committee to indentify nearly $80 billion in "savings" from federal employee benefit programs over a ten year window.

The committee recommended increasing retirement contributions by 5 percent with no corresponding increase in benefits for all current federal employees, immediately increasing retirement contributions to 5.8 percent for all new federal employees, and eliminating the Social Security supplement for all federal employees who retire before becoming eligible for their earned Social Security benefit.

And just today, it was revealed that the Republican Leadership has proposed using federal compensation cuts to offset a student loan rate reduction extension. What a shame.

This evening I rise to speak against the federal employee cuts contained in the underlying bill.

The MILCON/VA bill would freeze the pay of some 305,000 civilian employees of the Veterans Administration and some DoD employees for a third consecutive year.

It is astounding that Members of this body would stand up this evening and proclaim the solemn debt our country owes to our veterans knowing this bill cuts the benefits of those who treat and care for our retired servicemembers.

Today there are approximately 100,000 homeless veterans. VA employees work every day to reduce that tragedy and as a reward this body will freeze their pay.

According to the most recent reports, veteran unemployment has actually dropped below the national average.

The VA counselors that assist veterans in their search for employment undoubtedly deserve some recognition for this trend.

To thank them, this body will again try to freeze their pay.

Finally, an estimated one in five veterans from our conflicts in Iraq and Afghanistan will return home with some type of post-traumatic stress disorder.

Mental health providers and counselors in the VA and DoD will treat these wounded warriors.

In fiscal year 2013, if this body gets its way, they will see no increase in their pay.

The United States has unarguably the greatest civil service in the world.

Republican attacks against civil servants are unwarranted, unjustified, and extremely disappointing.

Every day, federal employees provide vital services that help keep our nation healthy, safe and strong.

I strongly oppose the federal employee cuts contained in this bill.

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.

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

The Clerk will read.

The Clerk read as follows:

H.R. 5854

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

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,820,323,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $80,173,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,551,217,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $102,619,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $388,200,000, to remain available until September 30, 2017: *Provided*, That of this amount, not to exceed $18,635,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $3,569,623,000, to remain available until September 30, 2017: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That of the amount appropriated, not to exceed $315,562,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: *Provided further*, That, of the amount appropriated, notwithstanding any other provision of law, $26,969,000 shall be available for payments to the North Atlantic Treaty Organization for the planning, design, and construction of a new North Atlantic Treaty Organization headquarters.

AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. I have an amendment to offer.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 14, insert after the dollar amount the following: "(reduced by $10,000,000)(increased by $10,000,000)".

Page 4, line 23, insert after the dollar amount the following: "(increased by $10,000,000)".

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

Mr. BLUMENAUER. I commend Chairman CULBERSON and Ranking Member BISHOP for their outstanding work and leadership on this appropriations bill. It provides for our veterans, for our military families, and it makes great strides for greater energy efficiency on military installations.

But I think it might be able to go farther.

My amendment would strengthen military national security and save taxpayers money by decreasing the Pentagon's energy consumption. The amendment would simply align the House bill with the Senate mark for the Energy Conservation Investment Program, ECIP, by providing an additional $10 million for planning and design.

The Department of Defense is the largest manager of infrastructure in the United States and the largest consumer of energy in the world, using over 300,000 barrels of oil per day and almost 4 billion kilowatt hours of electricity per year.

That's as much energy as the entire State of Oregon, which I call home.

The Pentagon operates 500 installations with over a half million buildings and structures worldwide. Given the size and scope of our military's infrastructure, it's not surprising to find that the Department of Defense accounts for more than 70 percent of all energy consumed by the entire Federal Government.

I believe that the Pentagon and Congress have an obligation to taxpayers, who foot the Pentagon's bill of $17 billion a year, which is spent on gasoline and diesel fuel, to not only decrease the military's overall level of energy consumption through efficiency efforts, but to move towards greater energy independence from the petro-dictators.

It's a necessity for our continued national security, that of freeing our military from the tethers of foreign oil as resources grow scarcer and suppliers more unstable. It's also an obligation for anyone who is serious about cutting our national debt. Every $10 increase in the price of petroleum costs the Pentagon an extra $1.3 billion a year on top of what we're already spending.

There are alternatives. There are solutions.

Congress needs to act by providing the resources and the authorities the Pentagon needs because ''supporting our troops'' means securing their energy future. In some cases, Congress simply needs to stand out of the way so that the Pentagon can continue making progress. The $160 million in the Senate bill is only a drop in the giant gasoline can if it is not accompanied by a significant investment in alternative energy sources for use by the military. Leaders in the Pentagon and our veterans returning home from Iraq and Afghanistan stand behind the idea of making the military leaner and meaner by reducing its reliance on fossil fuel.

Speaking in reference to this amendment, Mike Breen, a veteran and vice president of the Truman National Security Project, said:

> As an Operation Free veteran and former captain in Iraq and Afghanistan, I saw firsthand that we have a 21st-century military shackled to a 20th-century fuel. All of our civilian leaders must match the military's commitment and stop putting shortsighted politics ahead of good policy.

But some colleagues are tied to the past, and they've scuttled any and all efforts to provide for greater efficiency and alternatives in military vehicles.

The amendment I offer today must be accompanied by future investment in sustainable fuels in the military, and I hope my colleagues on both sides of the aisle will recognize that the only way to truly sustain a strong military and achieve energy independence is to stand up for these investments, not only today, but in future appropriations as well.

I thank the chair and ranking member of the subcommittee for their hard work. This appropriations bill puts us closer to where we need to be, and I hope they will join me in making this last push. I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. CULBERSON. I rise to accept the gentleman's amendment.

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

Mr. CULBERSON. Madam Chairman, the gentleman's amendment seeks to increase by $10 million the Department of Defense's investment in planning and design funds for the Energy Conservation Investment Program, which is certainly a worthwhile program. I accept the amendment, but I cannot stand idly by when I hear the gentleman refer to energy independence.

There is no greater energy independence for America than a ''drill here and drill now'' for American energy resources. I proudly represent the west side of Houston. My neighbors, my friends, my colleagues are geophysicists and engineers who have kids in school and who play at the beach. I've grown up on the Galveston seawall while watching oil and gas rigs right off the shore. We can produce American oil and gas cleanly, safely, immediately, creating hundreds of thousands of jobs, vast wealth for the Nation and making America energy independent in the short run and in the medium run.

Clearly, we need to make investments in the future for alternative sources of energy, and I certainly agree with the gentleman from Oregon about the need to make investments looking out into the future. Rice University, which I also proudly represent, is doing extraordinary work in developing ways of using carbon nanostructures to transmit electricity ballistically so that we can transmit, store, and transport electricity in ways that were never possible before. That holds the promise of making America energy independent, but that's way down the road.

I do have to say that, while I support the gentleman's amendment, I feel compelled to point out, if you would just unleash the entrepreneurship, the good judgment and the extraordinary technological capability, then the people of America, many of whom I proudly represent in west Houston, would be able to produce vast amounts of American oil and gas right here in the United States immediately. It would be a tremendous boost to the Nation's economy, making America energy independent in the short run. Clearly, because we've got enough shale gas, we could, frankly, support ourselves on shale gas and oil for who knows how long.

I do agree with the gentleman: for the long term, we do need to look at energy alternatives. Certainly, with regard to the Department of Defense, you've reduced one account by $10 million and plussed up this account by $10 million so that the overall cost of the bill does not go up. I do accept the gentleman's amendment, but I have a respectful disagreement with the premise of his argument.

I yield back the balance of my time.

Mr. BISHOP of Georgia. I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of Georgia. Madam Chairman, I agree with the gentleman that the Department of Defense should be doing all that it can to reduce energy costs and to help us be energy independent. The Energy Conservation Investment Program is a fairly small, but key, component of the Defense Department's energy strategy.

□ 1730

The goals are to improve supply resiliency, implement energy security plans, and alter energy consumption at individual installations. Investing in this small program helps the Department to reduce its energy costs and help meet its facility energy mandates.

The Department has been funding ECIP as far back as 2001, and the committee has seen great progress on energy savings. For example, at Fort Liggett, they are building a 1-megawatt solar grid which will help that installation ease its energy consumption.

ECIP is a cost-saving program I think all Members should be happy to support. Therefore, I urge all Members to vote ''yes'' on this amendment, and I'm delighted that the chairman has accepted it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by law, $613,799,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $26,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by law, $42,386,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $4,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

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

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

Mr. HOLT. Madam Chair, our Nation just marked another Memorial Day at war and another year in which the epidemic of suicides of our country's servicemembers and veterans continues. In April of this year, The New York Times' columnist Nick Kristof noted that for every American lost on the battlefield, about 25 servicemembers and veterans are dying by their own hands. These are silent casualties of war. And if we're to stop the epidemic, we must recognize it.

I want to thank the ranking member, Representative BISHOP of Georgia, and the subcommittee chair, Representative CULBERSON, for their recognition that continued funding for suicide prevention and outreach programs for our veterans must be a national priority. I'm pleased that the committee looked favorably on my request and included an additional $20 million for suicide prevention outreach programs, including social media in this bill. This is the second year in a row that the House has taken this step because the administration and the VA have yet to create a dedicated programmatic funding stream for suicide prevention and outreach.

Let me take this opportunity to urge the administration and our President to direct the Office of Management and Budget to create such a dedicated funding stream for such programs. Our suicide prevention response must be coordinated and must be funded properly over the lifetime of our veterans, because this is not a problem that will go away once the guns fall silent.

I thank my colleagues on the committee for all they have done to craft a bill that will help provide the services that our veterans need and deserve.

I yield back the balance of my time.

The CHAIR. The Clerk will read.

The Clerk read as follows:

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by law, $305,846,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $15,951,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by law, $49,532,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $2,118,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by law, $10,979,000, to remain available until September 30, 2017: *Provided*, That of the amount appropriated, not to exceed $2,879,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $254,163,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $4,641,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $530,051,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $102,182,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $378,230,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $83,824,000, to remain available until September 30, 2017.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $497,829,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $52,238,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $1,786,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $151,000,000, to remain available until September 30, 2017, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $349,396,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $126,697,000, to remain available until expended: *Provided*, That the Department of Defense shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to obligating an amount for a construction project that exceeds or reduces the amount identified for that project in the most recently submitted budget request for this account by 20 percent or $2,000,000, whichever is less: *Provided further*, That the previous proviso shall not apply to projects costing less than $5,000,000, except for those projects not previously identified in any budget submission for this account and exceeding the minor construction threshold under section 2805 of title 10, United States Code.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries within the United States Central Command Area of Responsibility, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 120. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission.

SEC. 121. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

SEC. 122. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: *Provided*, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

(INCLUDING TRANSFER OF FUNDS)

SEC. 123. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the

liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'', to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 124. None of the funds made available by this Act may be used by the Secretary of Defense to take beneficial occupancy of more than 2,000 parking spaces (other than handicap-reserved spaces) to be provided by the BRAC 133 project: *Provided*, That this limitation may be waived in part if: (1) the Secretary of Defense certifies to Congress that levels of service at existing intersections in the vicinity of the project have not experienced failing levels of service as defined by the Transportation Research Board Highway Capacity Manual over a consecutive 90-day period; (2) the Department of Defense and the Virginia Department of Transportation agree on the number of additional parking spaces that may be made available to employees of the facility subject to continued 90-day traffic monitoring; and (3) the Secretary of Defense notifies the congressional defense committees in writing at least 14 days prior to exercising this waiver of the number of additional parking spaces to be made available.

SEC. 125. None of the funds made available by this Act may be used for any action that relates to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

SEC. 126. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

(INCLUDING RESCISSION OF FUNDS)

SEC. 127. Of the unobligated balances available for ''Military Construction, Defense-Wide'', from prior appropriations Acts, $20,000,000 are hereby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(INCLUDING RESCISSION OF FUNDS)

SEC. 128. Of the unobligated balances available for ''Department of Defense Base Closure Account 2005'', from prior appropriations Acts, $212,291,000 are herby cancelled: *Provided*, That no amounts may be cancelled from amounts that were designated by Congress as an emergency requirement or for Overseas Contingency Operations/Global War on Terrorism pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 129. The total amount available in this Act for pay for civilian personnel of the Department of Defense for fiscal year 2013 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by $2,334,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 130. Of the proceeds credited to the Department of Defense Family Housing Improvement Fund pursuant to subsection (c)(1)(C) of section 2883 of title 10, United States Code, from a Department of Navy land conveyance, the Secretary of Defense shall transfer $10,500,000 to the Secretary of the Navy under paragraph (3) of subsection (d) of such section for use by the Secretary of the Navy as provided in paragraph (1) of such subsection until expended.

Mr. CULBERSON (during the reading). Madam Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIR. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, $61,741,232,000, to remain available until expended: *Provided*, That not to exceed $9,204,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses, Veterans Benefits Administration'', ''Medical support and compliance'', and ''Information technology systems'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

AMENDMENT OFFERED BY MS. HAYWORTH

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 14, after the dollar amount, insert ''(reduced by $1) (increased by $1)''.

The CHAIR. The gentlewoman from New York is recognized for 5 minutes.

Ms. HAYWORTH. Madam Chair, the purpose of this amendment is to equally increase and decease funding by $1 to address an issue for many of our guardsmen, reservists, and their families. A number of these men and women, these guardsmen and reservists, who dutifully serve our country for many years are never called into active duty. Under current law they are ineligible to receive a government memorial headstone or marker for their grave site.

This issue came to my attention in our own home district in New York when I heard from Mr. Charles Ricotta, who is a constituent of ours. He lost his son Joe to a heart attack. It was Joe's 47th birthday, and he had served in the Navy Reserve from 1997 to 2007. And despite his 10 years of service in the Reserves, he was not eligible to receive a government headstone or marker honoring his service.

Mr. Charles Ricotta, Joe's father, isn't looking for a handout. He's not looking for payments for any other burial services. He simply would like to purchase, at his own expense, a foot marker from the VA for his son's grave site to recognize Joe's service to our country.

So there is a piece of legislation that I've introduced, H.R. 2305, the Memorialize Our Guardsmen and Reservists Act, and that would correct this inequity by making available for purchase, through the Department of Veterans Affairs, headstones or markers for members of the Reserve components who did not serve on active duty.

A government memorial may cost less than other headstones. This particular one would seem to be a modest monument, but it's more than a simple appearance. It's a symbol of service and sacrifice for our Nation. Our servicemen and -women, active and inactive, have contributed or sacrificed their time and efforts for our Nation, and they've been separated from their families, friends, and civilian lives. Our Reserve components deserve the opportunity to be recognized for the commitment they have made to serve and defend our country. They share the same spirit of patriotism as the millions of soldiers who came before them and served in hopes that no others would be needed to serve in time of war.

Headstones or markers for our guardsmen or reservists would be paid for by the individual or family member at no additional cost to taxpayers. This has been endorsed by the National Guard Association of the United States, Reserve Officers Association, and the Association of the United States Navy.

This issue deserves our attention as we consider this legislation, and I look forward to working with my colleagues to address it.

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

□ 1740

The CHAIR. Does anyone seek time in opposition?

If not, the question is on the amendment offered by the gentlewoman from New York (Ms. HAYWORTH).

The amendment was agreed to.

The CHAIR. The Clerk will read.

The Clerk read as follows:

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, and for the payment of benefits under the Veterans Retraining Assistance Program, $12,607,476,000, to remain available until expended: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, $104,600,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That during fiscal year 2013, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $157,814,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $19,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $346,000, which may be paid to the appropriation for ''General operating expenses, Veterans Benefits Administration''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $1,089,000.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of health care employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, and loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note); $43,557,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.); $6,033,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,872,000,000, plus reimbursements, shall become available on October 1, 2013, and shall remain available until September 30, 2014.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $582,674,000, plus reimbursements, shall remain available until September 30, 2014.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, $258,284,000, of which not to exceed $25,828,000 shall remain available until September 30, 2014: *Provided*, That none of the funds under this heading may be used to expand the Urban Initiative project beyond those sites outlined in the fiscal year 2012 or previous budget submissions or any other rural strategy, other than the Rural Initiative included in the fiscal year 2013 budget submission, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a strategy to serve the burial needs of veterans residing in rural and highly rural areas and that strategy has been approved by the Committees: *Provided further*, That the strategy shall include: (1) A review of previous policies of the National Cemetery Administration regarding establishment of new national cemeteries, including whether the guidelines of the Administration for establishing national cemetery annexes remain valid; (2) Data identifying the number of and geographic areas where rural veterans are not currently served by national or existing State cemeteries and identification of areas with the largest unserved populations, broken down by veterans residing in urban versus rural and highly rural; (3) Identification of the number of veterans who reside within the 75-mile radius of a cemetery that is limited to cremations or of a State cemetery which has residency restrictions, as well as an examination of how many communities that fall under a 75-mile radius have an actual driving distance greater than 75 miles; (4) Reassessment of the gaps in service, factoring in the above conditions that limit rural and highly rural veteran burial options; (5) An assessment of the adequacy of the policy of the Administration on establishing new cemeteries proposed in the fiscal year 2013 budget request; (6) Recommendations for an appropriate policy on new national cemeteries to serve rural or highly rural areas; (7) Development of a national map showing the locations and number of all unserved veterans; and (8) A time line for the implementation of such strategy and cost estimates for using the strategy to establish new burial sites in at least five rural or highly rural locations: *Provided further*, That the Comptroller General of the United States shall review the strategy to ensure that it includes the elements listed above prior to the submission of the report by the Secretary: *Provided further*, That this strategy shall be submitted no later 180 days after the date of enactment of this Act.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, $416,737,000, of which not to exceed $20,837,000 shall remain available until September 30, 2014: *Provided*, That funds provided under this heading may be transferred to ''General operating expenses, Veterans Benefits Administration''.

AMENDMENT OFFERED BY MR. WELCH

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 2, insert before the period at the end the following:

: *Provided further*, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Veterans Affairs to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7))

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

Mr. WELCH. Madam Chair, this amendment, offered by my colleague from Colorado (Mr. GARDNER) and I, does something straightforward. It forces, really encourages, the VA to do something that it has been required to do, and that's report on energy efficiency.

One of the goals I think all of us have, regardless of our point of view about what is the best fuel source, is to do everything we can to make sure that we use less, not more. One of the best places for us to save on energy is in our Federal buildings. Anything we can do to encourage them, to do the inventory, so that they know what steps can be taken to use less energy means we are going to save taxpayers money and help their bottom line budget.

In previous legislation this Congress authorized, actually directed, that our agencies make these reports available. That's a step that would then allow them to participate in energy saving contracts with some of our energy saving companies. This legislation basically says let's get that job done.

I yield to my colleague from Colorado (Mr. GARDNER).

Mr. GARDNER. Thank you, Mr. WELCH, for allowing me to sponsor this amendment with you.

Energy savings performance contracts present a great opportunity for this government to do two of our highest priorities: number one, create jobs and, number two, reduce spending. It's an opportunity that we can all work together, something that has bipartisan support to make sure that we're doing the right thing when it comes to making our government buildings more efficient, and do it in a way that actually creates private sector jobs.

By some estimates the Federal Government can save $20 million or more by implementing energy savings measures in Federal buildings. Again, this is a program that's been approved, it's in law, and it's something that we have seen before used in a way that can create jobs, private sector opportunity, but benefit all taxpayers by reducing spending.

I thank the gentleman from Vermont for the opportunity to work with him and ask and urge the adoption of this amendment.

Mr. CULBERSON. Will the gentleman yield?

Mr. WELCH. I yield to the gentleman from Texas.

Mr. CULBERSON. Madam Chair, we have no objection to the amendment and will be happy to accept it.

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

The CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was agreed to.

The CHAIR. The Clerk will read:

The Clerk read as follows:

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, $2,164,074,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That of the funds made available under this heading, not to exceed $113,000,000 shall remain available until September 30, 2014.

INFORMATION TECHNOLOGY SYSTEMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $3,327,444,000, plus reimbursements: *Provided*, That $1,021,000,000 shall be for pay and associated costs, of which not to exceed three percent of this amount shall remain available until September 30, 2014: *Provided further*, That $1,812,045,000 shall be for operations and maintenance, of which not to exceed seven percent of this amount shall remain available until September 30, 2014: *Provided further*, That $494,399,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2014: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the ''Information technology systems'' account for development, modernization, and enhancement may be transferred between projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act: *Provided further*, That of the funds provided to develop an integrated Department of Defense–Department of Veterans Affairs (DOD–VA) integrated health record, not more than twenty-five percent shall be available for obligation until the DOD–VA Interagency Program Office submits to the Committees on Appropriations of both Houses of Congress a completed fiscal year 2013 execution and spending plan and a long-term roadmap for the life of the project that includes, but is not limited to, the following: (a) annual and total spending for each Department; (b) a quarterly schedule of milestones for each Department over the life of the project; (c) detailed cost-sharing business rules; and (d) data standardization schedules between the Departments.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $113,000,000, of which $6,000,000 shall remain available until September 30, 2014.

AMENDMENT NO. 7 OFFERED BY MR. TERRY

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, line 15, after the first dollar amount, insert ''(reduced by $1) (increased by $1)''.

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

Mr. TERRY. Madam Chair, this is to request a dollar in and a dollar out to be used in that process for the inspector general to look into the VA Office of Acquisition, Logistics, and Construction, which is a subdivision of the Office of Construction and Facilities Management of the VA. This is the organization that builds and remodels new clinics and hospitals.

What I have discovered, because of experiences in Omaha, Nebraska, regarding a proposed new facility to replace a very obsolete and decayed facility, is that the Office of Acquisition, Logistics, and Construction of the Office of Construction and Facilities Management hires the engineering firms to do what turns out to be a skeleton request for proposal or bids.

They go out and then they start adding a bunch of stuff on there, because I don't know if it's because they're afraid to put all of the stuff they want in a bid because then it will look really big and too expensive. So what happens then, because they do that, there are literally two pages of projects that are needed for veterans.

But because of their practices and procedures, I don't know if it's purposeful or just competency issues, but the reality then is because of the cost

overruns of these additions and the way that they're doing, it is perhaps increasing the price of the project by 25 percent, 50 percent, even accusations at the Orlando facility of doubling to almost a billion dollar hospital. What that does is it takes money away from future projects to complete the ones that they have miscalculated, again, either purposefully or unintentionally, but it's occurring.

What happens is they start canceling future projects or pushing them out even further. And by doing that what it means is that facilities that are decaying, need replacement, are continuing to be used, and really place the veterans' health in jeopardy. I will guarantee you that if some of these facilities are not replaced in the near future, there will be veterans who die because of the structural and infrastructure problems within these buildings.

□ 1750

So something has to change and an inspection and IG review has to be done to get the VA on the right course to do these in an affordable way without having to raid future funds from other projects.

So with that, Madam Chairman, I have one question, if I can ask the chairman, my friend from Texas.

I understand you're willing to accept this amendment?

Mr. CULBERSON. Will the gentleman yield?

Mr. TERRY. I yield to the gentleman from Texas.

Mr. CULBERSON. We will accept the gentleman's amendment. He raised an important point for the committee's consideration.

Mr. TERRY. I appreciate that very much.

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

The CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY).

The amendment was agreed to.

Mr. CULBERSON. Madam Chairman, I ask unanimous consent to consider out of order amendment No. 1 by the gentleman from Oregon (Mr. BLUMENAUER) and an amendment by the gentleman from Illinois (Mr. SCHOCK).

The CHAIR. Is there objection to considering the amendments at this point in the reading?

Without objection, that will be the order.

There was no objection.

AMENDMENT NO. 1 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 5, after the dollar amount, insert ''(reduced by $35,000,000) (increased by $35,000,000)''.

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

Mr. BLUMENAUER. I appreciate the gentleman's courtesy. This is such a well-oiled machine, the subcommittee galloping ahead, and I apologize that I turned my head. I think it is worthy to go back and deal with this amendment offered on behalf of my colleague, CATHY MCMORRIS RODGERS, and myself.

Today, America stands on the precipice of discovery when it comes to understanding how the human brain operates. These discoveries have huge implications for taxpayers—who cumulatively spend over a half trillion dollars a year on treatments for brain-related issues—and for some of the most pressing medical challenges we face.

Scientific breakthroughs in neuroscience research have led to a higher quality of life for the 50 million Americans who are affected by neurological illnesses every year. Two of the most pressing examples of how outside trauma and events can drastically alter the structure and function of our brain are under the purview of this subcommittee: posttraumatic stress disorder and traumatic brain injury.

These injuries can often be hidden from the naked eye. Almost one in five soldiers in the previous decade suffered a traumatic brain injury, and 15 percent of veterans are diagnosed with posttraumatic stress disorder. That represents hundreds of thousands of cases of cognitive and physical impairment due to TBI and PTSD that impact the lives and the loved ones of our servicemen and -women.

Today, Congresswoman MCMORRIS RODGERS and I, as cochairs of the Congressional Neuroscience Caucus, are offering an amendment to the Military Construction and Veterans Appropriations Act to ensure that the Veterans Administration continues to have the resources it needs to find innovative new medicines and enhanced diagnostics for what can truly be termed an epidemic. The amendment does not increase or decrease any accounts in the appropriations bill. It simply requires that no fewer than $35 million of the medical and prosthetic research account go towards posttraumatic stress disorder and traumatic brain injury so that we can expedite a cure for active duty personnel and veterans suffering the effects of brain and psychological trauma incurred during their service.

We are keenly aware that translating research into effective treatments and therapeutics is a long and difficult process. Every area of research undertaken by the VA to help our veterans must be a priority. But we believe that TBI and PTSD research must be further prioritized in this bill because we are so close to the finish line in our race to find the right treatments for these brain injuries that now is the time to dig deep and make the final push.

Also, these items demand our special attention because their effects can so easily harm a soldier's family and loved ones if not properly diagnosed. Early detection and prevention preempts chaos, hardship and, indeed, in some cases, further loss of life.

We must commit to better understand how the brain's 100 billion nerve cells grow, interact, and are altered by our environment. It's hard to think of a more fitting gesture from this body a few days after Memorial Day than supporting this amendment to demonstrate our commitment to finding effective treatments and therapies for these neurological impacts which plague our military personnel who dutifully serve our country. We must remember our duty to the wounded warriors who face a long journey to recovery. These harms may not be as visible as a missing limb but can be even more damaging to a veteran's future and relationships.

I urge my colleagues to support this amendment, a commitment from Congress to our servicemembers that we will continue to do all we can to develop new medicines and technologies to improve the lives for those in need.

Again, I appreciate the extraordinary courtesy of the subcommittee and respectfully urge adoption of this amendment.

I yield back the balance of my time.

Mr. CULBERSON. I rise in support of the gentleman's amendment.

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

Mr. CULBERSON. The gentleman brings to the attention of the Congress and the country an extraordinarily important issue that the committee is focused on. Post-traumatic stress disorder is so extraordinarily important and difficult to diagnosis in many cases.

I appreciate the gentleman's amendment. We welcome it and will continue to do everything we can to help make sure to alleviate the suffering of a lot of our veterans and what they go through as they return from serving this great Nation.

We accept the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCHOCK

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

The CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 23, insert after the dollar amount the following: ''(reduced by $16,000,000) (increased by $16,000,000)''.

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

Mr. SCHOCK. First, let me say thank you to my good friend from the great State of Washington for his cooperation in allowing me to offer this amendment at this time.

This amendment specifically dedicates $16 million within the Office of Rural Health to expand the current rural veterans' access to covered health services through qualifying non-VA health providers to a new area within each VISN they currently operate and new VISNs altogether. This

came about in talking to veterans who live, in many cases, hours away from the qualified VA facility. It expands a very popular program within the VA that allows these veterans who are in need of health services to visit an approved health care provider closer to them, limiting their cost, the time and travel required to get their needed benefits.

At this time, I yield to my friend from Illinois, Congressman SCHILLING, who's been working tirelessly on this effort of expanding health care for rural veterans.

Mr. SCHILLING. I believe in the concept of allowing our veterans to receive medical care closer to home. I remember taking care of my dad during the last few months of his life and driving him back and forth from Iowa City hospitals several hours at a time for my dad to get the care he needed.

While we appreciated the service and the care provided through the VA, I believe that we must continue to make improvements to the care our veterans receive. I talked to many constituents in the Illinois 17th District who feel the same way.

In 2008, a law was passed that created a pilot program called Access Received Closer to Home, also known as Project ARCH. This program helps veterans who are more than 60 minutes away from the nearest VA health care facility to receive primary care for services at non-VA health centers that contract with the VA. I believe this is a very promising program for our veterans, and this amendment would allow Project ARCH to serve more veterans, and here's how:

A 2011 audit of the Office of Rural Health found that, at the end of fiscal year 2010, the Office of Rural Health had obligated $16 million of its budget.

□ 1800

The audit went on to find examples of lapsed funding that ''constituted missing opportunities for the Office of Rural Health to improve access and quality of care for rural veterans.''

This amendment would help turn these missed opportunities into more veterans served. This amendment by Representative SCHOCK and myself would take unused and unobligated funds from the Office of Rural Health and devote this money to Project ARCH so that it can serve more of our veterans. I support Project ARCH's goals of improving access for veterans in cost-effective ways and provide an easing of travel requirements for the care that our servicemembers receive.

I also support another program similar to Project ARCH. In 2006, Congress directed the Veterans Health Administration to implement a contracting pilot program to better manage the fee-basis care program that the VA runs for veterans seeking care outside the VA system. That pilot project is called Project HERO. The VA has stated that Project HERO has resulted in annual savings of $16 million in the four VISNs it operates in with less than 20 percent of the potential workload. This means that the savings figure will be much higher if Project HERO is utilized across all of the VISNs and at a higher workload level.

That is why I believe that we should support this program and provide it funding so it can help more veterans who do not have easy access to facilities across the United States of America.

Mr. SCHOCK. With that, I would just say I urge my colleagues to support this amendment to increase funding for rural health care.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOODALL). Does any Member seek the time in opposition?

If not, the question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $532,470,000, to remain available until September 30, 2017, of which $5,000,000 shall be to make reimbursements as provided in section 7108 of title 41, United States Code, for claims paid for contract disputes: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2013, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2013; and (2) by the awarding of a construction contract by September 30, 2014: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $607,530,000, to remain available until September 30, 2017, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, $85,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal governments in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, $46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2013 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the ''Medical services'', ''Medical support and compliance'', and ''Medical facilities'' accounts may be transferred among the accounts: *Provided*, That any transfers between the ''Medical services'' and ''Medical support and compliance'' accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees

on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the ''Medical services'' and ''Medical support and compliance'' accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the ''Medical facilities'' account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2012.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from ''Compensation and pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2013, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the ''General operating expenses, Veterans Benefits Administration'' and ''Information technology systems'' accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2013 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2013 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed $42,904,000 for the Office of Resolution Management and $3,360,000 for the Office of Employment and Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the ''General administration'' and ''Information technology systems'' accounts for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental cost is more than $1,000,000, unless the Secretary submits a report the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 214. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of that account.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term ''rural Alaska'' shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the Municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical services'', ''Medical support and compliance'', ''Medical facilities'', ''General operating expenses, Veterans Benefits Administration'', ''General administration'', and ''National Cemetery Administration'' accounts for fiscal year 2013, may be transferred to or from the ''Information technology systems'' account: *Provided*, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2013, in this Act or any other Act, under the ''Medical facilities'' account for nonrecurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs for fiscal

year 2013 for ''Medical services'', ''Medical support and compliance'', ''Medical facilities'', ''Construction, minor projects'', and ''Information technology systems'', up to $247,356,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for health care provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts available in this title for ''Medical services'', ''Medical support and compliance'', and ''Medical facilities'', a minimum of $15,000,000, shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 225. (a) Of the funds appropriated in title II of division H of Public Law 112–74, the following amounts which became available on October 1, 2012, are hereby rescinded from the following accounts in the amounts specified:

(1) ''Department of Veterans Affairs, Medical services'', $1,800,000,000.

(2) ''Department of Veterans Affairs, Medical support and compliance'', $200,000,000.

(3) ''Department of Veterans Affairs, Medical facilities'', $400,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2014:

(1) ''Department of Veterans Affairs, Medical services'', $1,800,000,000.

(2) ''Department of Veterans Affairs, Medical support and compliance'', $200,000,000.

(3) ''Department of Veterans Affairs, Medical facilities'', $400,000,000.

SEC. 226. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least $5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the committees 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 227. The scope of work for a project included in ''Construction, major projects'' may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 228. The Secretary of the Department of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed $2,000,000.

SEC. 229. The Secretary of the Department of Veterans Affairs shall include in the sufficiency letter required by section 117(d) of title 38, United States Code, that is due to the Congress on July 31 of each year a description of any changes exceeding $250,000,000 in funding requirements for the Medical Services account resulting from the spring recalculation of the Enrollee Healthcare Projection Model. Any such revised data shall not be modified to align with the pending budget request.

SEC. 230. The Secretary of the Department of Veterans Affairs shall submit a reprogramming request to the Committees on Appropriations of both Houses of Congress whenever a change of ten percent or more is proposed in funding for the current year or advance year in the Medical Services initiatives listed in the Congressional submission. Such reprogramming may only go forward if the Committees have approved the request or if a period of fourteen days has elapsed.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 231. Of the discretionary funds made available in Public Law 112-74 to the Department of Veterans Affairs for fiscal year 2013, $62,924,000 are rescinded from ''Medical services'', $12,737,000 are rescinded from ''Medical support and compliance'', and $5,593,000 are rescinded from ''Medical facilities''. Amounts rescinded in this section shall be derived from amounts that would otherwise have been available for the increase in civilian pay for fiscal year 2013 proposed in the President's request.

SEC. 232. (a) The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

(1) ''Veterans Health Administration--Medical and prosthetic research'', $809,000.

(2) ''National Cemetery Administration'', $360,000.

(3) ''Departmental Administration—General administration'', $1,575,000.

(4) ''Departmental Administration--General operating expenses, Veterans Benefits Administration'', $6,100,000.

(5) ''Departmental Administration--Information technology systems'', $3,250,000.

(6) ''Departmental Administration--Office of Inspector General'', $450,000.

(b) Amounts reduced in subsection (a) shall be derived from amounts that would otherwise have been available for the increase in civilian pay for 2013 proposed in the President's fiscal year 2013 budget request.

## TITLE III
## RELATED AGENCIES

### AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $59,290,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, $31,187,000 *Provided*, That $2,726,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

### DEPARTMENT OF DEFENSE—CIVIL

### CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed $1,000 for official reception and representation expenses, $173,733,000, to remain available until expended, of which, not less than $84,000,000 shall be for the Millennium Project. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the ''Lease of Department of Defense Real Property for Defense Agencies'' account. Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery making additional land available for ground burials.

### ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $67,590,000, of which $2,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

## TITLE IV
## OVERSEAS CONTINGENCY OPERATIONS

### DEPARTMENT OF DEFENSE

### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $150,768,000, to remain available until September 30, 2013: *Provided*, That such amount

is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 401. Of the unobligated balances in section 2005 in title X, of Public Law 112-10 and division H in title IV of Public Law 112–74, $150,768,000 are hereby rescinded: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 402. Availability of funds.—Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 504. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 505. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 506. Hereafter, none of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 507. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 508. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 509. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 510. None of the funds made available in this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries or successors.

SEC. 511. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to exercise the power of eminent domain (to take the private property for public use) without the payment of just compensation.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 513. None of the funds appropriated or otherwise made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 514. None of the funds provided in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 515. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convcited) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation, or such officer or agent, and made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 516. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

Mr. CULBERSON (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 65, line 16, be considered as read, printed in the RECORD, and open for amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 517. None of the funds made available by this Act may be used by any Government authority or agent thereof awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, to require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; nor shall such funds be used to discriminate against or give preference to such bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such agreements. The previous sentence does not apply to construction contracts awarded before the date of the enactment of this Act.

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. I offer my amendment to strike the anti-Project Labor Agreement language in section 517.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, beginning on line 17, strike section 517.

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

Mr. GRIMM. Mr. Chairman, construction is an inherently complex endeavor. Any owner funding a construction project faces a variety of challenges, such as time and cost constraints, maintaining quality control, safety, and of course recruiting a skilled workforce. Public and private project owners are always looking for effective ways to meet demand and manage risks to the financial investors of those projects, whether they're funded through private investors or by the taxpayers, as is the case here with military construction projects.

Project labor agreements are a proven tool to accomplish these objectives. The PLA is a pre-hire agreement and business model that increases efficiency and quality while decreasing the overall cost of a construction project since it is based on employing skilled craftsmen and -women. Use of a PLA increases the chance that a project will be done right the first time, on time, and on budget. This also helps to ensure future building maintenance costs are reduced, providing long-term benefits to the taxpayer.

However, section 517 in practical terms would deny the DOD and other Agencies the option to use a PLA business model even if they determine that using one would best serve the interest of taxpayers. At a time when Federal Agencies are required to do more with less, it does not make sense to remove this proven, cost-effective, and efficient option that saves taxpayers money.

Also, enacting a strict prohibition on the use of PLAs represents a regulatory barrier imposed by the Federal Government on free market participation. Companies like Wal-Mart, Toyota, Boeing, just to name a few, all currently use this type of business model because of these very same advantages that I mentioned.

Recently, I toured the 75-story Beekman building in New York City which, without the use of a PLA, would have been capped at 40 stories. And since we're talking about public projects, according to an audit commissioned by the New York City School Construction Authority, these agreements saved taxpayers over $221 million—$221 million—from 2005 to 2009. In 2009, Mayor Bloomberg projected that PLAs would save New York City over $300 million.

And as a veteran myself, I have to point out that this is one of the only business models that guarantees the hiring of military veterans and results in career job training. Taking this option away would disadvantage the DOD, the VA, and, most importantly, our returning servicemen and -women seeking jobs to support themselves and their families.

Therefore, I urge you to vote ''yes'' on this amendment and to strike the language from the bill that disadvantages the DOD, VA, American taxpayers, and our military veterans.

I yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I stand today with my colleague from New York (Mr. GRIMM) to support the working men and women of this great Nation.

You might take a quick look at section 517 of this legislation, the appropriations bill, and think it doesn't stop the Department of Defense from using a project labor agreement. But you must know, in reality, this confusing language is carefully hiding a back door, a back door opening to do away with PLAs.

Specifically, while currently the Department of Defense can choose whether they want to use a PLA, this language would prohibit even the option of choice whether to use a PLA. That's unacceptable.

This amendment doesn't dictate using PLAs. It just gives the Defense Department back the option to use them. Agencies like the Department of Defense need the flexibility and choice to use PLAs because of the variables they face in doing their job—from security issues, a very critical part of every contract; onsite safety, just as critical; to the skills needed to build unique facilities and structures.

Furthermore, the use of PLAs establishes a required skill level for what the project and the government require or desire, ensuring that these highly sensitive and complex projects are performed on time and on budget.

Let's cut to the chase, Mr. Chairman. The jobs where PLAs are used require higher skill sets.

The Acting CHAIR. The time of the gentleman from New York has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. GRIMM was allowed to proceed for 2 additional minutes.)

Mr. GRIMM. I yield to the gentleman from New Jersey.

□ 1810

Mr. PASCRELL. I thank the gentleman for yielding.

The jobs where PLAs are used require higher skills, higher wages for engineers and laborers. Undercutting their ability to bid on contracts will not only hurt the project and the Department of Defense's bottom line, but it will also hurt the working men and women who are building our future.

I urge a ''yes'' vote on the Grimm amendment.

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

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

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

Mr. CULBERSON. Mr. Chairman, I'm the first one to be a strong advocate of the 10th Amendment. As a Jeffersonian, I really believe very strongly in the whole idea of individual liberty and letting local governments make local decisions and State governments make decisions at the State level.

In some States, as in New Jersey and New York, certainly the labor union movement is very strong and PLAs may work in those States. It certainly may make sense in New York or New Jersey, but Texas is a right-to-work State, and proudly so. We don't have many labor unions—in fact, very few at all. In the construction industry in particular, there really are no unionized construction firms. There are none.

So if the President's executive order—which he issued almost as soon as he came in, President Obama signed an executive order that said the President of the United States—now, just imagine if you're the head of a local VA and you get an order from the President of the United States saying the President recommends that you, as the head of the VA, hire a construction firm that uses a project labor agreement, you're probably going to follow that advice. It is impossible to do that in the State of Texas.

My friend from Arizona, Arizona is a right-to-work State. Many States across the country are right to work. We don't have labor unions. I believe Georgia is a right-to-work State. We don't have a State income tax in Texas. We don't have many labor unions. Trial lawyers have to really have a good lawsuit before they can go to the courthouse. Taxes are generally low. The streets are safe. We've got, in Texas, a thundering economy.

If I recall right, Texas has created most of the jobs in this Nation over the last 10 years. And one of the reasons Texas' economy is so strong is we don't have many labor unions. But of course that's up to us in Texas. And people have been voting with their feet and moving to Texas. We've had tremendous influx of people from other parts of the country.

The language that is in the bill, my good friend from New York, my friend from New Jersey, the language in the bill does not prohibit the use of project labor agreements; it really doesn't. The language was carefully written so that the government cannot discriminate against or give preference to a construction firm that uses PLAs. Nor can the government—and I'm going to read it here exactly—nor can the government require a contractor to enter into or adhere to a project labor agreement.

A project labor agreement—I need to make sure folks understand what we're talking about—is essentially a requirement that if you want to do business with the Federal Government, you have to unionize your shop. That doesn't make any sense in Texas, it doesn't make any sense in Georgia, it doesn't make any sense in Arizona where we have no unionized contractors—or virtually none, to my knowledge. You can't build a house, you can't build a building in Houston, Texas, if you require the use of a unionized contractor. They don't exist.

Mr. DICKS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Washington.

Mr. DICKS. The distinguished chairman—who does a great job, and we're trying to work together—if we understand this, a non-union shop can be considered for work under a project labor agreement. You don't have to be a union shop. So a non-union company can do it. All they have to do is to agree to the terms that are part of the project labor agreement; in other words, that they will use the wages and other standards that the project labor agreement has. If they will abide by that, then they can be considered for

work. So that doesn't mean that there aren't any.

Thank you for yielding.

Mr. CULBERSON. Reclaiming my time, you're right. And that's the problem, my friend, Mr. DICKS, from Washington State. Truly, you're exactly right. The VA can and will require a nonunion contractor in Texas to unionize before they can even——

Mr. DICKS. No, no, no, no. If the gentleman will yield?

Mr. CULBERSON. I yield to the gentleman from Washington.

Mr. DICKS. They don't have to unionize. They just have to agree to the prevailing wage and other things that are part of the project labor agreement, but they don't have to be unionized.

Mr. CULBERSON. Yes, sir. That's correct. I'm about to run out of time.

The Acting CHAIR. The time of the gentleman has expired.

(By unanimous consent, Mr. CULBERSON was allowed to proceed for 2 additional minutes.)

Mr. CULBERSON. If I could point out, the gentleman from Washington is correct; on this vote, they're not required to unionize, but they're required to adopt the higher prevailing wage. They're required to adopt all the other higher, more expensive standards that a union may require. That puts that contractor at an immediate competitive disadvantage with all of the other contractors out there.

There are no unionized—or very few unionized contractors in Houston, Texas—throughout the whole State, and that's the problem. While perhaps in New York, while perhaps in New Jersey, while perhaps in Washington State PLAs may actually wind up saving you money—for reasons mysterious to me as a free market guy, but it may save you money.

This language does not prohibit the use of a unionized contractor in New York. Let me repeat, in the brief time I've got left: none of the funds in this act can be used to discriminate against or give preference to a union shop, and the government cannot require a contractor to enter into an agreement. So, you see, the language, as written, we're all on the same page here, guys. This language does not require unionization. It doesn't force a non-union shop to adopt a prevailing wage, for example. And it enables everyone to bid without discrimination.

Our concern is, with the President's executive order, which says that the President of the United States encourages the local VA to hire a contractor that follows union guidelines, they don't exist in Texas. That makes no sense. That's why the gentleman from Arizona wrote this amendment this way. And that's why it's important that the House defeat this amendment to save taxpayer dollars and to allow non-union contractors in right-to-work States to compete for these government construction projects.

Mr. Chairman, I yield back the balance of my time and thank you for the extra time.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. BISHOP of Georgia. Mr. Chairman, I rise in strong support of this amendment.

The language included in the bill says that none of the funds made available by this act may be used by any government authority or agent thereof awarding a construction contract on behalf of the government, and any solicitations, bids, specifications, project agreements, or other controlling documents, to require or prohibit bidders, offerers, contractors, and subcontractors to enter into or adhere to agreements with one or more labor organizations. Language currently included essentially nullifies the decisionmaking ability of not only the Department of Defense, but also the Department of Veterans Affairs, the American Battle Monuments Commission, the Court of Appeals for Veterans Claims, and Arlington National Cemetery to use a PLA business model.

To put it another way, all of these agencies currently have two choices: yes, we want to use a PLA, or no, we don't want to use a PLA. Without this amendment, the agencies will no longer be able to make that yes or no choice. If this language is maintained, then every agency in this bill will literally not be able to make a decision on the business model that they want to use for their construction projects.

The language is a backdoor way to ensure that the project labor agreement business model is not available as an option for the Federal Government to even consider using on any of the construction projects in the bill.

Keeping this language would be a mistake since PLAs ensure that construction projects are built correctly the first time, on time, and as a result, on budget for the end-user. Furthermore, PLAs prevent costly delays that usually result from an unskilled workforce's lack of knowledge regarding the use of building materials or tools, as well as job site safety measures.

Furthermore, Mr. Chairman, we don't know the effect this language could have on VA projects. And I don't believe that this Congress should include any language that could further delay vital Veterans Affairs projects.

I find this language to be unclear and believe it will only add uncertainty and confusion to the construction process. I don't understand why we would take this option off the table. If a project labor agreement is good for Toyota, or Boeing, or Wal-Mart, why isn't it good enough for the Federal Government?

□ 1820

I urge all the Members to vote ''yes'' on the Grimm amendment. It's sound, and it will help us to get our construction done on time and on budget and safely.

I yield back the balance of my time.

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

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

Mr. FLAKE. Mr. Chairman, I have enjoyed hearing this, and I would say, if the gentleman from New York, if what he were saying were correct, he would be right and I think all of us would vote for this amendment. But he's not. He's not right.

The amendment, the language he seeks to strike does not forbid or prohibit the use of PLAs. You don't have to take my word for it. I was the author of the amendment, and we expressly did it so as not to prohibit or allow or anything. It would simply be neutral.

And this is what CRS said. So you can say all you want about motives or anything else, but this is what CRS said. They wrote back to us and said:

> Based on the plain language of the amendment's text, PLAs for military construction projects would not be forbidden.

Again, ''would not be forbidden.'' It is expressly—let me read that again so I'll be clear.

> Based on the plain language of the amendment's text, PLAs for military construction projects would not be forbidden, as it expressly provides that ''[n]one of the funds made available by this act may be used by any government authority . . . to require or prohibit . . . bidders . . . to enter into . . . agreements with one or more labor organizations.''

Here we have it. It's neutral. That's what we're intending to do. The problem is what we sought to correct with the amendment in committee was when the President issued this executive order. The executive order, in itself, does not expressly prohibit nonunion organizations or shops from getting a contract. But what Federal agencies have interpreted it as meaning is that they should favor PLAs. And so certain Federal agencies have written guidance, based on the President's executive order, that actually favor PLAs. And that's wrong.

And so all the amendment seeks to do is put it back on neutral ground, to keep the thumb of the President or this body or Republicans or Democrats or anybody off the scale in this regard. That's what this language that the gentleman is seeking to strike does. It brings neutrality that has been missing after the President's executive order.

Again, when the President issued his executive order, some Federal agencies took that to mean that they would have to or could require the use of PLAs, and that means that the thumb is placed on the scale in favor of PLAs. So this language was drafted to make it neutral again. That's what it does.

If this amendment here is adopted, it will put a thumb back on the scale, and we can't have that. So you can say all you want about motives, what they really want to do, or this is a back door or whatever. But if you look at the amendment, again, from CRS, not from

me, says that it doesn't require or prohibit, so it's neutral.

Mr. GRIMM. Will the gentleman yield?

Mr. FLAKE. I will yield first to the gentleman from Washington, but only briefly.

Mr. DICKS. It will be very brief.

The Office of General Counsel of the Department of Defense says about the gentleman's amendment:

> If enacted, the attached provision would prohibit the Department from soliciting bids for FY13-funded construction contracts where, as a mandatory condition of award, the awardee must negotiate a project labor agreement with one or more labor organizations for the term of the resulting construction contract.

Mr. FLAKE. Reclaiming my time.

Mr. DICKS. That means they can't do it.

Mr. FLAKE. No. There's an important word there, ''mandatory.'' It wouldn't allow the mandatory use. It's back to neutrality.

Mr. DICKS. That's not what they think. They think that if your language does what I think you——

Mr. FLAKE. That's what you just read.

Mr. DICKS. Well, that's not how they interpret it.

Mr. FLAKE. I'm not sure if they know what they're interpreting then. But CRS, which looks at this, says it's neutral, so make no mistake——

Mr. GRIMM. Will the gentleman yield for a question on CRS?

Mr. DICKS. If it's neutral, what does it do then?

Mr. GRIMM. Did CRS actually speak to these agencies?

Mr. FLAKE. If they spoke to the agency——

Mr. GRIMM. Does the gentleman know if they spoke to the agencies? Did the gentleman speak to these agencies to see how they would interpret it?

Mr. FLAKE. We don't have to because the agencies have issued guidance that we can look at where they have interpreted the President's executive order as to require the use of PLAs. That's why we offered the amendment.

Mr. GRIMM. Exactly. And the amendment that you have in is going to be interpreted to preclude them from using PLAs.

Mr. FLAKE. No, it doesn't.

Mr. DICKS. Well, what does it do then?

Mr. FLAKE. It simply takes the thumb off the scale that's there right now because these agencies have issued guidance. Now, you can say that the agencies may take this as a thumb on the other side of the scale.

Mr. GRIMM. That's exactly what I'm saying.

Mr. FLAKE. Nobody can control what they're doing. But this language simply makes it neutral, and that's what I'm trying to correct here.

I yield back the balance of my time.

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

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

Mr. LATOURETTE. Mr. Chairman, I hadn't planned on speaking on this amendment—there are plenty of other voices to do it—but I argued against this amendment in committee. I repeatedly argue against this amendment. I really don't know why we have to repeat this exercise, other than it won by one vote the other time, and we're going to correct that mistake tonight, I will tell you.

But the author of the amendment—the amendment is a wolf in sheep's clothing in that the gentleman offering the amendment isn't in favor of project labor agreements. As a matter of fact, all the people who have spoken——

Are you in favor of project labor agreements? I don't want to slight you if you are.

I yield to the gentleman.

Mr. FLAKE. Wherever they make sense, that's fine. I just don't want a finger on the scale either way.

Mr. LATOURETTE. I hear you. And if that was true, the wording of your amendment would be——

Mr. DICKS. Will the gentleman yield just briefly on that point?

Mr. LATOURETTE. I yield to the gentleman from Washington.

Mr. DICKS. Just briefly, the President doesn't require that they use a project labor agreement. He just suggests that they might be able to use it. That's pretty neutral.

Mr. LATOURETTE. Reclaiming my time, well, let me say this. You know, I do agree with the gentleman from Arizona, which I very rarely do, that, in fact, under this administration, there's sort of a feeling that we should have PLAs, which I happen to think is a good thing into my part of the world. However, this language is almost identical to the Bartlett amendment that was in the defense authorization.

To my belief, this was written by the Associated Builders and Contractors, and the Associated Builders and Contractors are not in favor of project labor agreements. Neither are most of the people, including Mr. CULBERSON. He's very proud of the fact that they don't have any unions in Texas. Well, we've got them in Ohio.

And I'll tell you, here's the difficulty with this and why this is a wolf in sheep's clothing. What the problem is is, if an agency determines that they want to proceed with a project labor agreement, this language prohibits them from doing it because it prohibits any contractor or subcontractor who may bid a piece of that job to be required to enter into a union contract. And that's the difficulty, because if the agency, independent, without any thumbs on the scale, says, You know what—well, I've got to tell you, CRS is wrong. CRS is flat-out wrong. They're a great organization. They're flat-out wrong.

But what this does is say that if the agency, and let's just take one that's in the news here in Washington, D.C. So the Metropolitan Airport Authority that controls the three airports in this area decides they want to do a project labor agreement, the board votes that way to do a project labor agreement on the silver line which is going out to Dulles Airport and it's covered by this bill, they cannot do a project labor agreement because this language isn't neutrality. This language says you can't have a project labor agreement because nobody, subcontractors can't be required to the terms and conditions that would be in a project labor agreement.

So make no mistake about it, CRS notwithstanding, this is to kill project labor agreements. And if you have that position, that's a great position. You can have that position. Mr. CULBERSON, I believe, has that position.

Mr. CULBERSON. I do.

Mr. LATOURETTE. He does. I know he does, and we've talked about this. And you know what? He can have that position.

But what you can't do is bring an amendment to the floor that pretends to do one thing and, in fact, does another.

If you don't want project labor agreements to even be considered, vote against Mr. GRIMM's amendment. If you think that they should be in the mix, you need to vote for it.

Mr. CULBERSON. Will the gentleman yield?

Mr. LATOURETTE. I am happy to yield to my friend from Texas.

Mr. CULBERSON. Our point was that in right-to-work States where we have virtually no labor unions, we don't want contractors to be required to adopt prevailing wages or adopt union guidelines in order to bid on a contract. And in States like yours, Ohio, New York, New Jersey, you should be free to do so.

And I think the way, truly, if I may, the way the amendment is written, we have obviously a difference of opinion, but it is written very clearly that the government cannot require or prohibit contractors from adopting these PLAs, so it leaves it really up to the local VA to decide whether they're going to bid it out to a nonunion shop or a union shop, depending on the State. In your State, fine. In Texas, you know, we're a nonunion State.

Mr. LATOURETTE. Let me take back my time and say that I think it's unfortunate that Texas doesn't feel they have to pay living wages for construction jobs. But beyond that, let me say that, if the language said that, we wouldn't be having this discussion. But the language doesn't say that.

□ 1830

So let's say the VA down in Texas makes a determination that they want to do a project in Texas under a project labor agreement. They can't do it. They can't do it under this language. They are deprived of doing it because, to have a project labor agreement, they would be forced to require the contractors and subcontractors to abide by the

terms and conditions of that agreement. I'm telling you that that's what it says, JOHN, honest to gosh. There is a better way to write this. This wasn't written by friends of PLAs, and it needs to be passed.

The Acting CHAIR. The time of the gentleman has expired.

(By unanimous consent, Mr. LATOURETTE was allowed to proceed for 2 additional minutes.)

Mr. LATOURETTE. I yield to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. I think we're headed in the same place, which is that you'd like to preserve the ability to hire union contractors in Ohio, New York, and New Jersey. We share that. I have no objection. Under the 10th Amendment, if that's what you guys want to do, God bless you.

So what I would ask is that perhaps we could postpone the consideration of this amendment briefly. Would you guys come up with some language to amend Mr. FLAKE's language to make it even clearer in your mind; so let New Jersey run New Jersey and New York run New York and Ohio run New York, and let Texans run Texas?

Mr. LATOURETTE. We don't want Ohio to run New York. I think the gentleman misspoke.

Mr. CULBERSON. I want Ohio to run Ohio.

Mr. LATOURETTE. We've got enough stuff going on in Ohio.

Mr. CULBERSON. Will you offer an amendment, because you're a very capable legislator, and may we postpone the consideration of this amendment briefly so that you could amend his language to let Texans run Texas and Arizona run Arizona and Ohio run Ohio?

Mr. LATOURETTE. And you're a gifted orator.

A couple of things. One, I appreciate the gentleman's invitation, but I don't want to postpone the consideration of the amendment.

Mr. CULBERSON. We've got other work.

Mr. LATOURETTE. There is going to be a rolled vote, I assume. You're not going to take extra real time.

Mr. CULBERSON. No, but we could fix this, though. Let's fix this.

Mr. LATOURETTE. There is going to be a rolled vote, and I will be happy to work with the gentleman; but we're going to stand on the Grimm amendment in case we can't come to some accomodation, which I hope we can, not written by the ABC.

I yield back the balance of my time.

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

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

Mr. LYNCH. In my own experience before coming to Congress, I was actually an ironworker for about 18 years. I have actually run work on projects with PLAs. I've been a general foreman on a large, complex construction project such as the ones that are covered by this bill. These large projects are $25 million and over, so it's not somebody who's throwing up a house here or there. I also worked in Louisiana, and we had a PLA where half the job was union and half the job was nonunion. There are situations in which PLAs are extremely important and extremely helpful. This bill would prohibit that from happening.

The gentleman from Ohio (Mr. LATOURETTE) is absolutely correct in his interpretation of the language of the bill. For instance, if the VA, which is right now considering building a spinal cord injury hospital in Brockton, Massachusetts, would like to put an agreement on that project that says they want 30 percent of the workers or 50 percent of the workers on this job to be United States veterans, they would not be able to put that language into effect because they would not be able to require a contractor to sign an agreement to hire veterans on a VA project. That's exactly what's wrong with the bill.

Mr. GRIMM has a very good amendment. It is on point. He is absolutely right. I know this from my own work on PLA projects. This amendment seeks to strike a provision from the underlying bill which would prevent any Federal agency from requiring contractors to sign a project labor agreement.

Now, PLAs have been highly efficient in coordinating many, many contractors on these complex construction projects. Despite the arguments of some, PLAs are not a guarantee of union employment. Under a PLA agreement, construction contractors can hire people regardless of union or nonunion status. What it does do is requires that contractors abide by the law. There is also great scrutiny on these projects. They are required to properly classify their workers, as the gentleman from Texas pointed out, on some jobs where there otherwise might be illegal immigrant workers on those projects. That doesn't happen on a PLA project because they've all got to be citizens.

We have a Helmets to Hardhats program that's run by the building trades. They actually make sure that especially our returning veterans from Iraq and Afghanistan get the first crack at those jobs—Helmets to Hardhats, from the military right into those apprenticeship programs—so that we train our young men and women coming back from Afghanistan and Iraq a skilled trade. The PLAs are most commonly used on large, multiyear projects that are complex and that present considerable difficulty for contractors to bid those jobs.

The key here is that under current law Federal agencies—the VA at the spinal cord injury hospital or the DOD if they're building a defense complex—can use a PLA when appropriate. They can put an agreement together that makes sure, if you've got a plumber on the job, he's properly licensed, or if you've got an electrician on the job, he's properly licensed; and they abide by a drug-free workplace program. They can put in a lot of good things that make sure that that project comes in on budget and ahead of schedule. What this would do would be to prevent the VA or the DOD from requiring that on a job.

It's the worst contractors who are afraid of this agreement because they would be required to comply with the law. They would be required to have workers' comp. They would be required to meet with the OSHA and safety regulations. The construction industry—I worked in it for 18 years—is a very dangerous industry, and sometimes it costs more to run a safe job.

Look, PLAs are a good idea. We should continue, when appropriate, to allow these Federal agencies to use them on these construction projects. They're a good idea, and up to now they've been evenly administered. This bill would change that dynamic. It would basically ban the VA from requiring that veterans be used on those projects or ban the DOD from saying, Look, we want to have veterans on this project; 50 percent of the workers on this project we want to be veterans. It's entirely appropriate for the VA or the DOD to do that. They would be prohibited from doing that under the language in this bill.

I yield back the balance of my time.

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

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

Mr. WALBERG. Before I let a train of thought go, I yield 30 seconds to my good friend from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

I just want to say first that the gentleman mentioned that he thought that this bill had been written by the Associated Builders and Contractors. That's not the case. This issue was first brought to my attention after a meeting my office had with the Army Corps of Engineers. So a government agency brought it to our attention.

Second, we are trying to bring back the same neutrality that existed during the Bush administration, which was before this President put the finger on the scale. During the Bush administration, during that 8 years in which we had the neutrality like this amendment of mine returns to, there were contracts awarded with project labor agreements and there were contracts awarded without them. That's what neutrality does. Where it makes sense to use a PLA, it's used. When it doesn't make sense, it isn't. It's neutrality. That's what this bill returns to. That's why this amendment should be rejected.

Mr. WALBERG. I thank the gentleman from Arizona, and I thank him for his amendment. I support it, but I respectfully do not support the Grimm amendment.

I'm from Michigan. Michigan takes no backseat in this country to union labor. It is the returning auto capital of the world. It's a proud union State, and there is a proud, solid union workforce in Michigan. Just this past summer, the State legislature, in majority with the Governor's concurring and signing, signed into law a prohibition against the mandatory requirement of PLAs in government contracts. The State of Michigan, with its 10th Amendment responsibilities, did that.

Now, unlike what took place under the past Bush administration, as the gentleman from Arizona correctly pointed out, the Federal appellate court ruled in favor of doing away with the mandate and leaving neutrality there. That's all the provision of this section 517 does. It simply restores the neutrality. That's all we're asking: that when PLAs make sense and ultimately bring about a better project and an outcome, fine; but when they don't, for whatever reason that is, there should be no mandate, and there ought to be the opportunity within these contracts and within a State like Michigan to make a decision not to go with a PLA if that's the best outcome or result.

□ 1840

Again, this provision in the bill does not prohibit PLAs. It is neutrality. Studies have found that PLA mandates increase the cost of construction between 12 percent and 18 percent compared to non-PLA projects subject to prevailing wage laws. That's a decisionmaking process. That's a point that ought to be considered. It doesn't do away with PLAs, but it says it ought to be considered in the cost. Shouldn't taxpayers have that consideration? Shouldn't quality have that consideration?

PLA mandates typically restrict jobs to construction workers referred from union hiring halls, effectively shutting out in Michigan and other places 86 percent of the Nation's construction workforce. I don't think that's right. However, if it's necessary to have the union workforce with a PLA agreement and it will work better and be more efficient—contrary to these studies—if that's the case, then this provision in the act does not do anything except allow neutrality.

Mr. Chairman, that's what we're asking for, to continue what this Congress put in place by a vote last week in saying we believe that PLAs are good sometimes, may not be as good other times, and there ought to be neutrality and an opportunity for decisionmaking on the local level, at the State level, at the contract-construction level that meets the best of abilities. Federal agencies should not mandate that contractors enter into project labor agreements as a condition of winning Federal contracts.

Again, we're looking at nearly $16 trillion in debt. And when our construction industry still suffers—and I can tell you that's the case in Michigan in my district—from a 14½ percent unemployment rate, we in Congress should not be tying the hands of taxpayers and construction workers by making requirements—with the thumb of the President of the United States on the scale—that really disregard the will and the opportunity of States like Michigan to make their own decisions here.

I thank the Chair for this opportunity, and I yield back.

Ms. KAPTUR. Mr. Chair, I move to strike the last word.

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

Ms. KAPTUR. First, I want to thank Mr. GRIMM for offering this bipartisan amendment.

Last year, we saw the same effort to attack project labor agreements in the military construction appropriations bill. This House on a bipartisan basis made the right choice, and we voted to support negotiated contract labor agreements. Why? It's the American way. It's the American way to respect the dignity of the individual. Yes, we respect their lives, their liberty, and indeed their pursuit of happiness. In northern Ohio, we've seen how important project labor agreements are. We use them to save lives as skilled laborers perform extremely dangerous work that I would dare say almost no one in this House is capable of performing.

These agreements are absolutely essential for workplace safety, for ensuring quality construction, and protecting the lives and rights of those men and women who perform extremely difficult, sophisticated, and superhuman work on a regular basis. I'm reminded in Toledo, Ohio, not so long ago we were replacing a major interstate lift bridge—the largest transportation project in Ohio history—over $400 million over several years.

We knew we needed a project labor agreement to complete the job with as few accidents as possible because we were replacing a lift bridge along one of the region's most important interstate highway systems adjoining three States. We insisted, and I worked so hard, to achieve a project labor agreement for the construction of this complex skyway bridge over the Maumee River, the largest river that flows into the Great Lakes. I didn't want it to be like Mackinaw Bridge, with the names listed for posterity of all the dead workers who were responsible for building that bridge, and whose names are left to history.

We hoped and worked so hard to try to limit the danger to the men and women who would build our bridge. We knew we needed a project labor agreement to write the rules of the road for that construction project. People were literally placing their lives at great risk every single day. If you don't believe me, you should have seen those talented individuals lofted at hundreds of feet in the air and then in bitterly freezing weather trying to put the pieces together above the river to construct the giant spires, physically creating the modern architectural wonder of the Glass City Skyway, which was dedicated to all the veterans of our country. But despite all our noble efforts and the safety precautions, our community still lost precious lives in two separate tragedies that were avoidable.

In the middle of February in 2004, one of the cranes collapsed, killing four workers and injuring four others. Why did they collapse? Because the company decided to cut corners and created a contest between which parts of the roadbed would be built faster by separate teams of workers. All the inspectors missed what was happening. Four workers were killed. I went to every single funeral. I never want to have to do that again. I never want to have to try to comfort the families of the tragedy that happened. Three years later, another man died when the platform he was working on collapsed. I know we would have lost more lives, were it not for the project labor agreement, but we shouldn't have even lost those lives. Yet, we would have lost more lives if there had not been a project labor agreement in place.

I don't believe in neutrality. Some of my colleagues have talked about neutrality. No, there should be no neutrality when it comes to workers lives. These workers were helping to build our country's future for the benefit of us all. They deserve a safe work environment. They deserve to have their lives represented in a contract agreement. The value of a completed project is worth more than the concrete, it's worth more than the spires, and it's worth more than the metal. It should be measured in the dignity of life. But workers were crushed to death. Thank God we had an agreement in place. It wasn't neutral. It defended those workers who lived. It defended the workers whose lives were saved because we knew we were a Nation of laws and that their lives were worth everything to us. That's the American way.

When we as a Nation invest in our physical infrastructure, those that are actually building up our country deserve to have their lives protected through contracts. Values derives not just from the cost of the concrete, but the value of their lives. Support project labor agreements, support this amendment.

I ask my colleagues to vote for the Grimm amendment, and I yield back the balance of my time.

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

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

Mr. HARRIS. Mr. Chairman, this discussion is not about safety, and it's not about making projects safe or making them more efficient. This is about politics. This is about an Executive order the President put in place that takes

jobs out of the First Congressional District of Maryland and other districts where there may not be union workforces.

Mr. Chairman, the unemployment rate is high enough in the First Congressional District.

Mr. DICKS. Will the gentleman yield?

Mr. HARRIS. No, I will not yield.

The unemployment rate in the First Congressional District of Maryland—lower shore of Maryland—is higher than the national average, and we don't have union workers. So if some bureaucrat in Washington, because of a Presidential Executive order, says we have to have a project labor agreement on a project under this bill, under this appropriation, unemployed workers in my district aren't going to work on that project, and the hardworking taxpayers in my district, as the gentleman from Michigan has said, will be paying 12 percent to 18 percent more of their hard-earned tax dollars to pay for a project labor agreement in a district that they don't want that some bureaucrat in Washington decided they needed.

Mr. Chairman, we can't afford that. This country can't afford it. We have a $1.3 trillion deficit. We have a debt that approaches $50,000 per person in this United States. And we're debating tonight about whether just to be neutral about language regarding project labor agreements.

□ 1850

The gentleman from Arizona is absolutely right. This is plain English reading. It just says that the bureaucrat, for curing that contract, can't require a project labor agreement. If someone wants to know bid on it, they can bid union labor. They can bid all the union labor they want. It just says you can't require it as a condition of the contract.

Mr. Chairman, we got sent here to do the right thing for our hardworking taxpayers back at home, those who want to have a job, who want to be involved in some of these Federal contracts. Without this provision, if this amendment passes, and this provision is struck from the underlying appropriations bill, people in the First Congressional District, those unemployed workers are not going to have the opportunity to work on those projects for the simple reason that they don't belong to a labor union.

That's what will disqualify them. Not that they're unemployed, not that they don't want to work, not that they don't know all the safety rules, not that they can't do the job, not that they don't have a plumbing license or an electrician's license, because they all have to have that license to hold a job. And the proponents of this amendment know that full well.

It's only because they don't belong to a labor union. That's what this fight is all about.

Mr. Chairman, I hesitate to rise to oppose the amendment of the gentleman from New York, but in the First Congressional District of Maryland this hurts our unemployment situation. This hurts our hardworking taxpayers. I rise to oppose the amendment because in districts around America, just like the First Congressional District of Maryland, this amendment doesn't do justice to those unemployed workers.

I yield back the balance of my time.

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

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

Mr. DICKS. Let's get back to some facts here. Under the CRS report that was referenced earlier, the National Labor Relations Act, as we know, gives most private sector workers the right to join or form a labor union and to bargain collectively.

A project labor agreement is a collective bargaining agreement that applies to a specific construction project and lasts only for the duration of that project. In February 2009, President Barack Obama signed an executive order that encourages Federal Agencies to consider requiring the use of project labor agreements on large-scale construction projects.

The EO describes a large-scale project as one where the total cost to the Federal Government is $25 million or more. The order States that Agencies are not required to use project labor agreements. Regulations implementing the executive order went into effect in May 2010.

Now, if that isn't neutrality, what is neutrality? I think this is a big to-do about nothing.

I mean, this amendment is not necessary. The President didn't mandate anybody to do anything. The Agencies decide if it is in the interests of the government to do this in a particular case. This administration has hardly done any project labor agreements as far as my understanding is, at least with the Department of Defense.

Again, I don't quite understand all of this concern, especially when nonunion contractors can be part of the agreement. They can bid, they can be part of the agreement as long as they will abide by the law, but with the prevailing wage agreements or things of that nature.

Mr. FLAKE. Will the gentleman yield?

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

Mr. FLAKE. I thank the gentleman for yielding.

The reason it's needed, as I mentioned, is because some of the Federal Agencies have taken the President's language in the executive order to mean that they can require or should require PLAs.

Mr. DICKS. There is no evidence of that.

Mr. FLAKE. Yes, there is.

Mr. DICKS. Tell me who's done project labor agreements?

Mr. FLAKE. There is. In fact, there was a project in St. Louis, I will mention one specifically, under the stimulus funds, frankly, and that was a shovel-ready project. But then—and a nonunion shop actually offered the low bid, but was refused the contract because the language that the President issued, or the executive order, was taken to mean that they had to look for a PLA, that they should be encouraged to use PLA.

Mr. DICKS. That's not what it says. That's not what the President's statement says.

Mr. FLAKE. But that's how it has been interpreted. That's why we're saying let's make it clear that we can neither forbid nor deny.

Mr. DICKS. Reclaiming my time, I would just point out that the Department of Defense thinks the gentleman from Arizona's language is prohibitive, that it doesn't give them any leeway, that they must not do a project labor agreement.

May I ask the Chair how much time I have remaining.

The Acting CHAIR. The gentleman from Washington has 1½ minutes remaining.

Mr. DICKS. I yield to the gentleman from New York (Mr. GRIMM), the author of the amendment, if he would like to make any further comments here.

Mr. GRIMM. Actually, I would, and I thank the gentleman for yielding.

I think the point is we're both making each other's point that you feel the language of the President is somehow restricting nonunion shops from bidding. I firmly feel and strongly feel that the language in your amendment absolutely prohibits the use of PLAs.

I think what we are both looking for is neutrality; but if language on either side is not working, we need to come up with a way to make this neutral so that everyone can bid and no one is prohibited. I think we're saying the same thing, and I think we're working towards that. I'm going to work with the chairman.

For now, my amendment is going to stand, and we're going to work as quickly with haste to see if we can come up with something that we can all agree with.

Mr. DICKS. The best and safest thing to do is to defeat the Flake amendment. That's kind of a standard. That's the surest way of protecting the executive order.

I yield back the balance of my time.

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

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

Mr. CARNAHAN. I want to first say thank you to the gentleman from New York for his efforts on this amendment and also that he has done this in a bipartisan way. I also want to thank President Obama for his executive order in doing this to encourage project labor agreements, not require

them. I think they speak for themselves.

My friends on both sides of the aisle have a responsibility to the American people to get both low cost and high quality in job-creating military construction projects. Project labor agreements have a proven track record to ensure that. We should come together to support the Grimm amendment. We can help create fewer cost overruns, faster project completion and a fair day's wage for an honest day's work for American workers.

I support the Grimm amendment that strikes the anti-PLA measures in the Military Construction appropriations bill.

PLAs are simply rules of the road for workers and management on construction projects. We know they cut taxpayer spending. They save time; they save headaches. They create good, local jobs and better quality and value. Why would we not want that?

Very simply, unions prefer PLAs because they treat workers like human beings instead of investment capital. Some people here think unions are unacceptable. I think those people are wrong. History shows unions have largely helped create America's middle class and workers' rights enjoyed by all Americans, whether they are members of a union or not.

I urge my colleagues on both sides of the aisle, if you want to help cut spending and improve efficiency, stand with American taxpayers and with American workers. Vote for the Grimm amendment. Remove the anti-PLA language to fix this bill. Let's get it right.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the last word.

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

Mr. DAVIS of Illinois. The longer I listen to this debate, the more confusing it becomes.

□ 1900

I remember a wise man telling me once, You can't get blood out of a turnip, but you can slice it, you can dice it, whip it, and do everything, but it still ends up being turnip juice.

I rise in strong support of Mr. GRIMM's amendment, and I do so because there seems to be a tremendous lack of clarity. It's amazing how we can all read the same words but arrive at a different meaning. And we can read them over and over and over again. So it would seem to me that the best way to have clarity is to make absolutely certain that these agencies understand that yes, they do in fact have the authority to say yea or nay, yes or no, to entering into project labor agreements.

I'm a strong supporter of organized labor. It doesn't mean that I think labor unions are perfect. Oftentimes, many of the people in the community where I live feel that they cannot access labor unions; that they can't get in, that they can't get membership. Yet and still, I think that project labor agreements are the best way to get the quality and the assurance that we're getting the best bang for the buck.

So, again, I reiterate my support for the Grimm amendment, and I yield back the balance of my time.

Ms. HIRONO. Mr. Chair, I rise today in support of the bipartisan Grimm Amendment on Project Labor Agreements, or PLAs.

In construction, contractors often do not have a permanent workforce.

This makes it hard to predict the length and cost of a project.

On large projects with many employers, a labor dispute with just one can delay the entire project.

PLAs are short-term agreements for the length of a project that can reduce a project's length and cost.

PLAs lead to higher-quality work by spelling out the work requirements, pay, benefits, and dispute resolution in advance.

PLAs prevent worker strikes and reduce turnover.

In 2009, President Obama issued an Executive Order on PLAs.

The Executive Order encouraged Federal agencies to consider requiring PLAs for large Federal construction projects of $25 million or more.

In Hawaii, last week Governor Neil Abercrombie announced a PLA plan for five large state construction projects.

This can help save taxpayer money and create Hawaii jobs, while minimizing project uncertainty.

While PLAs are regarded as cost efficient, sadly, this Majority in Congress has tried again and again to undermine the use of Project Labor Agreements.

Today's FY 2013 MilCon-VA bill forbids military construction contracts from requiring PLAs.

The bipartisan Grimm Amendment would remove this prohibition to allow Federal contractors a choice on PLAs.

Today's amendment vote feels like déjà vu.

Congress has had vote after vote on this issue.

Last year at this time we debated the FY 2012 MilCon-VA bill.

I supported at that time a similar bipartisan amendment to preserve PLAs.

That amendment by Mr. LATOURETTE, Republican of Ohio, passed 204 to 203, with over two dozen Republican votes.

This issue shouldn't be about Democrats and Republicans. It's about supporting flexibility, common sense, and job creation.

We need to put our differences aside and do the right thing.

In Hawaii we call this laulima—cooperation.

I'm proud to stand with Republican Congressman MICHAEL GRIMM and Republican Congressman STEVE LATOURETTE on this issue.

I urge all my colleagues to support the Grimm Amendment today as well.

Mr. LANGEVIN. Mr. Chair, I rise in support of the Grimm Amendment to H.R. 5854, the Military Construction and Veterans Affairs Appropriations Act. This amendment strikes a provision in the underlying bill that would prevent Federal Government agencies, including the Department of Defense and Veterans Affairs, from requiring the use of project labor agreements.

A project labor agreement (PLA) is a prehire agreement that establishes the terms and conditions of employment during a construction project. Any contractor—union or nonunion—can work on projects under a PLA, as long as they abide by the wages, benefits and other terms of employment negotiated in the agreement. They have been used in all 50 states and the District of Columbia on both private and public projects.

In February 2009, President Obama signed an Executive Order that encourages Federal agencies to consider requiring the use of PLAs on large-scale construction projects of $25 million or more. The order states that agencies are not required to use PLAs.

In its current form, H.R. 5854 would strike these regulations, and instead discourage commonsense labor agreements on large-scale construction projects. The Grimm Amendment would allow agencies to require project labor agreements when they determine that it is in their interest to do so, which would follow the path of private businesses.

Successful corporations use PLAs to ensure high-quality, on-time work through good jobs with meaningful training programs for local workers. Boeing, Disney, Harvard University, and Toyota are among the large number of private entities that use PLAs. If the agreements make sense for these successful organizations, why would we compromise Federal agencies' ability to use them, especially when we are looking to reduce government spending?

Mr. Chair, the priority of Congress should not only be to create jobs, but to raise the living standards of the middle class and working families across America. I urge my colleagues to vote for the Grimm Amendment.

Mr. MORAN. Mr. Chair, the amendment before us would correct a fundamental misunderstanding that has been allowed to slip into H.R. 5854, the FY 2013 Military Construction/VA Appropriations bill.

The Grimm Amendment would not have the effect of mandating that public contracting entities adopt Project Labor Agreements, as its opponents claim. In fact, as has been amply pointed out by my colleagues, Section 517 of the bill would prevent the Department of Defense, Veterans Affairs, and related agencies from requiring the use of project labor agreements (PLA).

Similar efforts to bar PLAs have been tried in other venues, including a recent attempt in Michigan which was declared unconstitutional by a U.S. District Judge. The court correctly ruled that federal law explicitly allows for PLAs in the construction industry, when the government entity determines that it is in the best interest—in terms of efficiency, quality, safety or any number of other factors—of the local community.

But it isn't only constitutional; it is also smart. There is ample evidence demonstrating that PLAs can serve as an important tool to manage large construction projects and maximize efficiency by creating collective bargaining benefitting both contractors and workers. Washington Nationals Park, Disney World, and the Trans-Alaska Pipeline all benefited from the use of PLAs.

In Northern Virginia, taxpayer interests were best served by employing a PLA in the first phase of the massive construction project on the rail extension to Dulles Airport. Facilitating better access to Dulles Airport is important to

my constituents in Northern Virginia, and it is important to me that the project makes the most of public money it receives. The PLA utilized has helped to accomplish this goal.

Academic research confirms that PLAs can contribute to the quality of large, complex infrastructure projects. The Cornell School of Industrial Labor Relations released a study stating that PLAs ''make sense for public works projects'' and their use increases the efficiency of planning while reducing labor costs. The Federal Government does not mandate PLAs. Executive Order 13502 specifies that federal agencies may require them to be used on construction projects that are valued at more than $25 million. This is smart policy. It provides flexibility for local norms. At this time of concern over budgets as well as employment, we should retain that flexibility to make use of PLAs.

PLAs can contribute to efficiencies, quality and cost savings. We should not be forcing Federal, State or local governments to rule them out for large construction projects, based on misguided, ideological grounds, which assume that everything that benefits workers must be bad for everyone else.

I support the Grimm Amendment because it will ensure that government contracting authorities are not barred in a disingenuous effort to tie their hands with regard to the use of PLAs where they might be appropriate.

Mr. HOLT. Mr. Chair, I rise in strong support for Project Labor Agreements (PLAs).

Today the Republican majority is again playing politics. They have brought to the House floor a bill to support our Nation's veterans and provide them with the care they earned. This bill should be approved by a unanimous vote; we all support our veterans and want to fully fund the various programs that care for them after they cared for us.

But in a cynical and politically motivated attack on working women and men across the country the Majority has tucked into this bill a ban on the use of PLAs. They are attempting to ban PLAs based on their ideology not based on any evidence. This is one more part of their anti-worker agenda.

I have always supported PLAs. PLAs are important, they have been used for many years and they work. PLAs ensure high skilled workers complete high quality work and provides fair local wages and benefits for all workers. I will be voting to support working women and men by repealing this anti-PLA provision.

On February 6, 2009 President Obama signed Executive Order 13502 encouraging federal agencies to consider requiring the use of PLAs for large-scale construction projects. In the Executive Order, President Obama noted correctly that by setting the terms and conditions of employment and coordinating the various employers, PLAs provide stability and help contribute to the efficient completion of Federal construction projects.

Last year, I joined a majority of my colleagues in the House to beat back this same anti-worker attack on PLAs and I am hopeful that we will be successful again today. President Obama has already indicated that he will veto this bill if the attack on PLAs reaches his desk.

While Republicans play politics today, I will be standing up for and voting for working women and men across the country and opposing this continued attack on them.

Ms. RICHARDSON. Thank you, Mr. Chair, for allowing me to speak on the Grimm Amendment to the Fiscal Year 2013 Military Construction/Veteran Affairs Appropriations bill.

I also want to thank Chairman CULBERSON and Ranking Member BISHOP for their efforts in bringing this bill forward.

Last year, I worked with Congressman LATOURETTE on defeating anti-Project Labor Agreements (PLAs) language in the MilCon/VA Appropriations bill.

This year, I rise in support of the Grimm Amendment. This amendment simply saves taxpayers money!

The Grimm Amendment ensures that funds for large-scale construction projects utilize the most cost-effective and efficient process for the awarding of Federal contracts.

Section 517 of H.R. 5854 prohibits agencies from being able to use all available methods to ensure that federal contracts are cost-efficient.

Section 517 raises the risk of project cost overruns and delays. Section 517 of this legislation fails to protect our workers.

Mr. Chair, however one feels about Project Labor Agreements, the MilCon/VA bill is not the appropriate vehicle to have this debate.

The MilCon/VA bill is intended to reflect our commitment to our veterans and our service members in uniform and should be limited to that purpose.

I would like to inform my colleagues about the benefits of Project Labor Agreements.

There is no credible evidence that Project Labor Agreements decrease the number of bidders on a project, or increase the costs of construction projects.

In fact, Project Labor Agreements promote cost-effectiveness and efficiency in construction projects.

Project Labor Agreements prevent labor disputes and project delays by having an agreement negotiated prior to starting a construction project.

Project Labor Agreements establish working conditions and safety standards for workers.

Project Labor Agreements are used by both union and non-union contractors.

Project Labor Agreements promote providing employment to workers in our local communities and help address the employment situation in many of our economically distressed communities.

Mr. Chair, the Grimm Amendment simply allows Federal agencies to use all tools at their disposal in awarding large-scale contracts that ensure taxpayer funds are used efficiently and that projects are completed on time and on budget.

All of us in Congress are looking at ways to rein in our deficit. This amendment protects workers and taxpayer funds.

Mr. Chair, I urge my colleagues to support the Grimm Amendment.

Mr. CONNOLLY of Virginia. Mr. Chair, the Military Construction and Veterans Affairs Appropriations before us will fund a number of vital infrastructure projects, including a facility at Fort Belvoir in my district. Unfortunately, the bill also inextricably contains language that would actually make it more difficult to deliver this and other projects in a safe, cost-efficient manner.

In today's cost-constrained environment, we ought to be placing a premium on completing infrastructure projects on time and on budget. We ought to place a premium on creating safe working conditions and good relations between management and labor to achieve those results.

Since they were first employed by the Federal Government to help defeat the Germans during World War I, Project Labor Agreements have been used by both the public and private sectors to reduce costs on major infrastructure projects.

Iconic American projects like the Hoover Dam, the Trans-Alaska Pipeline and Walt Disney World were completed under Project Labor Agreements. Wal-Mart and Toyota have touted the benefits of PLAs, and findings from the GAO and Cornell University show PLAs maximize productivity and minimize risk to yield savings. Right here in the National Capital Region, a PLA for the drawbridge on Woodrow Wilson Bridge helped complete that portion of the project 6 months ahead of schedule. Construction on the Dulles Rail project, which will link our Nation's capital with the premier international airport, also is being performed under a PLA.

I urge my colleagues to support the Grimm amendment and strike this restrictive language in the bill so we can make use of this valuable tool to control project costs, promote worker safety and realize savings for taxpayers.

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

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

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

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

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

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

Mr. LYNCH. Mr. Chairman, while I strongly support some of the programs supported by this funding bill, it contains a number proposals that I believe are detrimental.

Firstly, H.R. 5854 includes language that will amount to an unwarranted extension of the pay freeze that's currently in effect for Federal employees. Specifically, sections 129, 231, and 232 would freeze the pay for Federal civilian employees across the Departments of Defense and Veterans Affairs through FY 2013 even though these employees, like all Federal employees governmentwide, have already sacrificed their fair share when it comes to reducing the Federal budget deficit. In this Congress alone, Federal employees have given up over $75 billion towards deficit reduction efforts and to offset the costs of unemployment benefits for millions of other workers.

Let us remember that our Federal employees are in the second year of a 2-year Federal pay freeze that will save the Federal Government $5 billion by the end of fiscal year 2012 and an estimated $60 billion over the next 10 years. For the average middle-income

Federal employee, this will amount to a loss of approximately $47,000 in income over a 20-year period that could go toward a child's education or a family's retirement security.

Our Federal employees have already done more than their part to achieve government cost savings, and in recognition of their dedication President Obama recently proposed a modest pay raise of 0.5 percent—a half a percent—in 2013 for Federal workers. This bill, however, rejects the President's funding request for 0.5 percent for civilian employees at DOD and the VA and freezes their salaries for a third consecutive year, even though a 0.5 percent raise will still not adequately protect Federal pay from being eroded by an inflation rate that is currently over 3 percent. So they're still going to get a pay cut, but it would have been a 2½ percent pay cut instead of 3 percent. And we can't live with that.

Mr. Chairman, this is yet another in a series of legislative attacks that have targeted middle class workers in this Congress. It will further erode employee morale and diminish the Federal Government's ability to attract the best and brightest to carry out its work.

I don't know if you read Politico today. They did a survey of job satisfaction among Federal employees in the VA. The docs are doing great work. The nurses are doing fantastic work. The therapists over there are. We all say we're really protective about our veterans. Well, these are the people that take care of our veterans every single day. They clean the bedpans. They do their therapy. They do their surgery. They watch out for them. And we were going to give them a 0.5 percent raise this year. Instead, what this bill does is cuts their pay. It cuts out that 0.5 percent that they would have gotten.

These are the people that are taking care of our veterans. God bless them. A lot of them are veterans themselves. And these are DOD employees. We all say we're pro-military. These are people that are supporting our fighting men and women in Iraq and Afghanistan on a daily basis in a direct way. We were going to give them a 0.5 percent raise. But no, we're going to cut their pay in order to have them help us balance the budget some more. They're already in a 2-year pay freeze.

Our dedicated civil servants play a vital role in many critical areas, especially in the work they do every day to support our military and our veterans. They should not continue to bear a disproportionate burden when it comes to addressing our Nation's budget problems.

I also want to express my strong opposition to section 517, which, again, prohibits the use of project labor agreements, as we said before.

There's a lot of disappointments in this bill. I cannot believe that we're going after VA workers in this bill and against Defense Department workers in this bill. I think they do a lot for this country. They do a lot for the most vulnerable, especially at the VA. They do heroic work there. I have three VA hospitals in my district. I'm blessed with the Brockton Hospital. They're doing tremendous work there with a lot of our World War II veterans, who, for the first time in their lives, have to rely on the VA.

And these are the people that are doing that job, Mr. Chairman. They're doing a tremendous job. They're already working at less wages than they could get at a private hospital. But because they love our veterans and believe in it, they stay there at the VA out of the goodness of their heart. And now we've got them in a 2-year pay freeze. The President was trying to give them a 0.5 percent increase in cost of living, and they're being denied even that.

I yield back the balance of my time.

AMENDMENT OFFERED BY MS. SPEIER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 66, after line 4, insert the following:

SEC. ____. (a) Section 107 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''not'' after ''Army of the United States, shall''; and

(B) by striking '', except benefits under—'' and all that follows in that subsection and inserting a period;

(2) in subsection (b)—

(A) by striking ''not'' after ''Armed Forces Voluntary Recruitment Act of 1945 shall''; and

(B) by striking ''except—'' and all that follows in that subsection and inserting a period;

(3) by amending subsection (c) to read as follows:

''(c) DETERMINATION OF ELIGIBILITY.—

''(1) IN GENERAL.—In determining the eligibility of the service of an individual under this section, the Secretary shall take into account any alternative documentation regarding such service, including documentation other than the Missouri List, that the Secretary determines relevant.

''(2) REPORT.—Not later than March 1 of each year, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report that includes—

''(A) the number of individuals applying for benefits pursuant to this section during the previous year; and

''(B) the number of such individuals that the Secretary approved for benefits.''; and

(4) by amending subsection (d) to read as follows:

''(d) RELATION TO FILIPINO VETERANS EQUITY COMPENSATION FUND.—Section 1002(h) of the American Recovery and Reinvestment Act of 2009 (title X of division A of Public Law 111–5; 123 Stat. 200; 38 U.S.C. 107 note) shall not apply to an individual described in subsection (a) or (b) of this section.''.

(b)(1) The heading of such section is amended to read as follows:

**''§ 107. Certain service deemed to be active service: service in organized military forces of the Philippines and in the Philippine Scouts''.**

(2) The item relating to such section in the table of sections at the beginning of chapter 1 of such title is amended to read as follows:

''107. Certain service deemed to be active service: service in organized military forces of the Philippines and in the Philippine Scouts.''.

(c)(1) The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

(2) No benefits shall accrue to any person for any period before the effective date of this section by reason of the amendments made by this section

Mr. CULBERSON (during the reading). Mr. Chairman, I ask that the reading be dispensed with.

The Acting CHAIR. Without objection, the reading is dispensed with.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. The point of order is reserved.

The gentlewoman from California is recognized for 5 minutes.

Ms. SPEIER. Our Nation is great because in times of trial when we do the wrong thing, we will come back and do the right thing.

What this amendment does is attempt to address a wrong that we did many years ago, and right that wrong by restoring a promise that we made to Filipinos that fought side-by-side with us in World War II. We promised them in no uncertain terms that they would enjoy the same veterans benefits that others received for putting their lives at risk.

More than 200,000 Filipinos fought in defense of the United States in the Pacific theater against the Japanese in World War II, and more than half of them were killed. As citizens of a commonwealth of the United States before and during the war, Filipinos were legally American nationals, and they were promised the same benefits afforded to those serving in the United States Armed Forces.

□ 1910

But in 1946, Congress passed the Rescission Act, a law that stripped Filipinos of the benefits that had been promised them by Franklin Delano Roosevelt. The Rescission Act created a wrong that will not be righted unless our Nation restores the veteran status it promised to Filipino soldiers more than 65 years ago.

Now the irony here, Mr. Chairman, is that there were other countries that provided us with men and women who served during World War II, and they were also promised veterans benefits. In fact, there are 65 countries that provided servicemembers to fight alongside us. Every one of those other soldiers were provided veterans benefits from other countries. And yet the Filipinos, who were part of a commonwealth at the time, who were nationals of this country, who were promised veterans benefits, were denied them by the Rescission Act that was passed in 1946.

What this amendment does is make all Filipino veterans fully eligible for

veterans benefits, similar to those received by U.S. veterans. Specifically, the amendment eliminates the distinction between regular or old Filipino scouts and the other three groups of veterans—Commonwealth Army of the Philippines, Recognized Guerilla Forces, and New Filipino Scouts. Veterans that have received lump sum payments would be eligible for these benefits.

Now, we tried to sort of cover this all up by giving them a $15,000 stipend. Frankly, that's not good enough. And there are about 15,000 living Filipino veterans of World War II right now. They're 85 years old. They're not going to live much longer, but they certainly deserve the benefits that we promised them but we then rescinded with the Rescission Act of 1946.

For these veterans and their families, I believe the time has come to right this horrific wrong, and I yield back the balance of my time.

POINT OF ORDER

Mr. CULBERSON. Mr. Chairman, I insist on my point of order.

I make a point of order against the amendment because it proposes to change existing statutory law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law . . . ''

In this case the amendment directly amends existing law.

I ask for a ruling from the Chair.

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

The Chair finds that the amendment proposes directly to change existing law, to wit: section 107 of title 38. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 518. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. FITZPATRICK

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available in this Act may be used to enter into a contract using procedures that do not give to small business concerns owned and controlled by veterans (as that term is defined in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)) that are included in the database under section 8127(f) of title 38, United States Code, any preference available with respect to such contract, except for a preference given to small business concerns owned and controlled by service-disabled veterans (as that term is defined in section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)).

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

Mr. FITZPATRICK. Mr. Chairman, I rise this evening to offer an amendment that levels the playing field and promotes fairness for veterans when it comes to contracting with the Federal Government. According to the most recent census, there are almost 22 million veterans living in the United States and over 2.4 million of them now manage their own company. Providing opportunities for veteran-owned small businesses I believe utilizes the talents and training of our Nation's heroes and can help end epidemic levels of veteran unemployment.

Unfortunately, not all of our servicemen and -women have found opportunities upon their return home. The Bureau of Labor Statistics has reported that the unemployment rate among veterans, including those returning from Iraq and Afghanistan, was at a staggering 21.9 percent. These numbers are unacceptable. These brave men and women who have served our country deserve every effort from this body to give them the tools they need to provide for themselves and their families. It should be the explicit policy of this Congress and all government agencies to support our veterans and our veteran entrepreneurs.

Therefore, Mr. Chairman, the amendment I am again offering to the Military Construction and Veterans Affairs Appropriations Act would give veteran-owned small businesses the preference for contracts equal to that of any group eligible for a preferred consideration except for service-disabled veteran-owned small businesses.

The practice of the Federal Government providing preferences to encourage government to do business with certain groups is very well established. This amendment does not look to restrict or change the current preference process. It merely serves to level the playing field for our veterans. This amendment would also preserve the current policy of giving greater preference to service-disabled veteran-owned small businesses.

This exact same amendment was unanimously passed in last year's Military Construction and Veterans Affairs act. It was signed into law as part of last year's budget process.

As our Nation continues to emerge from this Great Recession, we need to create an economic climate that encourages innovation and also rewards hard work. By serving this great Nation nobly, often in far-off and dangerous locations, our Nation's veterans have displayed exceptional determination and leadership skills. Character traits like these are paramount for long-term economic prosperity and for private sector success. I and many of my colleagues have made a commitment to our constituents, and to the American people, to do everything possible to create jobs and to do everything possible to help returning veterans. The self-discipline and innovation of our veterans could lead our economic recovery.

Ultimately, this amendment would give our veterans a level playing field to help spur economic growth and help spur job creation. With many servicemen and -women returning home from their combat missions in Iraq and Afghanistan, and nearly a quarter of veterans saying they are interested in starting or buying their own small businesses, we need to preserve accountability of these contract programs. In order to do so, we define small businesses by using the current definition outlined by the Small Business Administration, and eligible businesses must be registered with the Department of Veteran Affairs where the VA Center for Veteran Enterprises maintains a database of certified and registered veteran-owned businesses.

In addition, this amendment would apply to all Federal contracts authorized by this act and would be applied to any portion of State or local projects receiving Federal funds. In many cases, this law will simply be reinforcing existing practices and ensuring that this will continue to be the policy.

Let this Congress once again bring fairness to the government contracting system and ensure that our veterans, who put their lives on the line and their lives on hold to defend our freedoms, make sure that they are receiving the same preferential contracting status that this Congress has given to others.

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

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. BISHOP of Georgia. Mr. Chairman, veteran-owned companies do two really important things: First, they create jobs and provide positive impact on our economy. And most importantly, veteran-owned small businesses provide a great venue for unemployed veterans to find work.

Mr. Chairman, I believe that the government has done poorly in reaching the 3 percent contracting goal for veterans. For example, agency contractor awards are below 1 percent from 2003 to 2006. The most recent figures for 2009 show agencies awarded only 1.98 percent to service-disabled veterans. Agencies need to do better, and I believe this amendment will help the Department of Defense and Veterans Affairs do a better job.

□ 1920

I support this amendment, and I urge its adoption.

Mr. DICKS. Will the gentleman yield?

Mr. BISHOP of Georgia. I yield to the gentleman from Washington.

Mr. DICKS. I want to join in supporting this amendment and commend the gentleman from Pennsylvania for his hard work on this effort. I hope we can adopt this amendment unanimously. I appreciate the gentleman yielding.

Mr. CULBERSON. Will the gentleman yield?

Mr. BISHOP of Georgia. I yield to the gentleman from Texas.

Mr. CULBERSON. We're pleased to accept the gentleman's amendment. We accepted it last year, and we're proud to accept it this year to help encourage the VA to look to better-known businesses.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to hire a director of a national cemetery who is not a veteran.

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

Mr. POE of Texas. Mr. Chairman, during the hot days of last summer, the Veterans of Foreign Wars went to battle with the Veterans Administration in Houston, Texas. The VFW claimed the Veterans Administration was censoring free speech and preventing the free exercise of religion at the National Cemetery in Houston.

I appreciate the chairman, Mr. CULBERSON's, work on this project after the Veterans of Foreign Wars notified not only me, but notified him as well. The result is this:

This cemetery, Mr. Chairman, is the second largest in the Nation; it's a place where four Medal of Honor recipients are buried. The VA said that the chapel at the cemetery would be closed, and it was closed. The Bible, the cross, and the Star of David were removed by the Veterans Administration and the chapel became a storage shed. The VFW members also said that the director of the cemetery censored the prayers and prohibited the religious ceremony during the burial of America's veterans.

The VFW had to sue the Veterans Administration, and the Veterans Administration naturally denied the whole thing. But, recently, a Federal judge in Texas approved and agreed to an order requiring the chapel to be reopened, the Bible, the cross and the Star of David to be returned to their proper places, and said that the Veterans Administration must not interfere with free speech or the free exercise of religion at burials of America's war veterans.

Mr. Chairman, it's ironic that Americans have gone to war all over the world, fought for the principles of the U.S. Constitution, then when they come home, they face government hostility and the denial of First Amendment rights to the citizens when these veterans are buried in VA cemeteries.

Now the veterans have won a battle against a government that wanted to deny them the American freedoms they fought for in lands far, far away.

Mr. Chairman, a fundamental problem in the Houston case was the director of the cemetery was not a veteran. She did not understand the needs of veterans because she was not a veteran herself. And according to the Veterans of Foreign Wars, she disrespected the veterans and their most fundamental rights. She censored prayers and speeches.

The amendment is simple. It says that any new hires of cemetery directors must be veterans. Eighty percent of current cemetery directors are veterans—on the application, when they apply to be a director, they must state whether they're a veteran or not—so clearly the Veterans Administration agrees that cemetery directors should be veterans themselves. This amendment would not force the remaining 20 percent that are not veterans to be fired. It would say that if the Veterans Administration is going to hire new directors, they will be veterans.

Our veterans need to know the directors of cemeteries understand what veterans and their families go through. They are the ones who best understand the needs of veterans in their time of grief, so they need to be veterans.

And that's just the way it is.

I yield back the balance of my time.

POINT OF ORDER

Mr. DICKS. Mr. Chairman, I raise a point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. DICKS. Which amendment is before the House?

The Acting CHAIR. Without objection, the Clerk will reread the amendment.

The Clerk reread the amendment.

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

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

Mr. CULBERSON. I agree to the amendment and accept it. I think it's important. Had the cemetery director in Houston been a veteran, this problem never would have arisen.

I also thank the gentleman for bringing both of these amendments to the floor tonight. I have personally witnessed the cemetery director interfering with the funeral services of veterans. It is outrageous, just absolutely unacceptable. I thank the gentleman for his amendments and speaking on this amendment first. I have no objection and will accept this amendment.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word and to speak in opposition to the amendment.

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

Mr. BISHOP of Georgia. Mr. Chairman, I have great empathy for the concerns that the gentleman from Texas has raised in his discussions about the amendment on hiring a national cemetery administration director, but I just want to address some of them because I don't think it's good policy, and I don't think it will make for the best management and operation of our national cemeteries.

Employees of the National Cemetery Administration are proud to serve veterans and to serve veterans' families in their time of need, and they do it with dignity and compassion. While the National Cemetery Administration has one of the highest percentages of veteran employees of any Federal agency—79 percent of the employees and 80 percent of its cemetery directors are veterans—the desire and the passion to serve our Nation's veterans is not limited to just veterans.

VA national cemeteries are nationally recognized for their commitment to excellence and top-rated customer satisfaction. Since 2001, the National Cemetery Administration has earned the American Customer Satisfaction Index's rating as a top-performing public or private organization in the country. This continues to be achieved by dedicated National Cemetery Administration employees, both veterans and nonveterans.

Who says a nonveteran cannot be patriotic and support the United States of America? If such an amendment passes, who would it impact? Most of our nonveteran cemetery directors have family ties with veterans. For example, one of our long-serving national cemetery directors had a father who served in the U.S. Army during World War II and saw combat in the Philippines, a brother who served as an Army infantryman in Vietnam, a husband who served in the Marine Corps during the Vietnam War, and most recently a son-in-law in the Marines who served two tours overseas during Operation Desert Storm.

This bill will result in a child, a sibling, or a spouse of a veteran losing his or her job or being denied the opportunity for a promotion. These individuals supported their family members as they put their lives on the line for our Nation, and now they wish to continue to honor and care for the graves of veterans in their final resting place.

VA follows all Federal laws and OPM regulations requiring hiring preference for eligible veterans. This legislation would make VA vulnerable to litigation by the displaced cemetery directors through the Merit Systems Protection Board.

The NCA requires all new national cemetery directors to have completed a 1-year intensive internship program that provides comprehensive training in all aspects of cemetery operations and management. Even if qualified veterans could be hired within 180 days to

fill these critical positions, they would be coming in without the specific knowledge and skills to effectively run a cemetery to meet the needs of our veterans and their grieving families.

I think this amendment is well-intentioned, but I don't think that it would accomplish what is desired, and I think ultimately it will end up with chaos in our personnel system regarding our national cemeteries. I urge that this amendment be defeated.

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

□ 1930

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

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

Mr. RUNYAN. I yield to the gentleman from Texas.

Mr. POE of Texas. I thank the gentleman for yielding.

I just want to clarify one comment the ranking member made. This amendment would not require the firing of anybody. It's future hires of the veterans cemetery directors. So I just wanted to make that clear. That wouldn't put anybody out of work.

This specific problem at the Houston cemetery was all centered around the director's insensitivity to veterans. And one of the problems that came out during all of the litigation was she had no relationship to veterans, didn't understand veterans, she wasn't a veteran, and therefore, that's why this legislation is important. But it would not require the firing of anybody. It's about future directors.

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

Mr. DICKS. I move to strike the requisite number of words.

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

Mr. DICKS. The Poe amendment states none of the funds made available by this act may be used for a director of a national cemetery who, after the date that is 180 days, whatever date, however he rephrased it.

According to the VA, compliance with this provision would be extremely disruptive to the NCA operations by requiring 20 percent of VA national cemetery directors to lose their current jobs for no other reason than that they are not a veteran. That is unfair.

The gentleman may have a grievance about one funeral director, but you can't take this out on the rest of these people who are doing a good job. So I would hope that we would defeat this ill-considered amendment.

I yield back the balance of my time.

Mr. POE of Texas. Mr. Chairman, I ask unanimous consent to amend the amendment to insert the word ''new'' before the word ''director.''

The Acting CHAIR. The gentleman will need to submit the modification to the desk.

Mr. DICKS. As I understand it—will the gentleman yield?

Mr. POE of Texas. I yield to the gentleman from Washington.

Mr. DICKS. Is it none of the funds made available by this act may be used to hire a new director of a national cemetery who is not a veteran?

Mr. POE of Texas. The gentleman is correct.

Mr. DICKS. Thank you for clarifying that.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. POE of Texas:

Insert ''new'' between ''a'' and ''director.''

The Acting CHAIR. Is there objection to the modification?

Mr. BISHOP of Georgia. Mr. Chairman, reserving the right to object, is it not true that if we adopt this amendment for new hires, that it still restricts the option of getting the best possible manager for the cemetery?

Mr. POE of Texas. Will the gentleman yield?

Mr. BISHOP of Georgia. I yield to the gentleman.

Mr. POE of Texas. It would require that the person be a veteran for all new hires of the director of a cemetery. You are correct.

Mr. BISHOP of Georgia. That's what I thought. Thank you.

I withdraw my reservation.

The Acting CHAIR. Is there objection to the modification?

Without objection, the amendment is modified.

There was no objection.

The text of the amendment, as modified, is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to hire a new director of a national cemetery who is not a veteran.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Texas (Mr. POE).

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to prohibit a veterans service organization that is participating in the funeral or memorial service of a veteran from reciting any words as part of such service or memorial.

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

Mr. POE of Texas. Once again I thank Chairman CULBERSON for his work on this situation that occurred at the veterans cemetery in Houston last year. That has been resolved in one specific case.

This amendment does something very simple. It ensures that the First Amendment rights of veterans and their families will not be violated by anyone at burial services at our national cemeteries. It's a free speech issue, and it would not allow what has occurred in the past, the speech police of the Veterans Administration to control the words of those that attend burials of our veterans. It would not allow censorship of religion.

So I urge support of this amendment, which will ensure the constitutional rights that are in the First Amendment to those that will be buried in the future at all of our national cemeteries.

Mr. BISHOP of Georgia. Will the gentleman yield?

Mr. POE of Texas. I yield to the gentleman from Georgia.

Mr. BISHOP of Georgia. We have no objection.

Mr. CULBERSON. Will the gentleman yield?

Mr. POE of Texas. I yield to the gentleman from Texas.

Mr. CULBERSON. I strongly support the gentleman's amendment and thank him for bringing it to the floor tonight, and urge its adoption.

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RUNYAN

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 66, after line 10, insert the following new section:

SEC. 519. None of the funds made available by this Act may be used to modify, maintain, or manage a structure, building, or barracks for a person, unit, or mission of the Armed Forces or Department of Defense outside of the normal tour or duty restationing or authorized base closure and realignment process.

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

Mr. RUNYAN. Mr. Chairman, I will be really brief.

My amendment states that none of the funds made available by this Act could be used to do an informal base realignment and closure.

As you may be aware, the Senate version of the National Defense Authorization Act calls for an independent commission that would help determine the Air Force's force structure. I know that many Members of this Chamber also want Congress to have our say on this issue. And my amendment will help ensure that we do.

I thank the chairman and the members of the subcommittee for working with me on this important amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLORES

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. 519. None of the funds made available by this Act shall be available to enforce section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142).

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

Mr. FLORES. Mr. Chairman, I rise to offer an amendment which addresses another misguided and restrictive Federal regulation.

Section 526 of the Energy Independence and Security Act prevents Federal agencies from entering into contracts for the procurement of a fuel unless its lifecycle greenhouse gas emissions are less than or equal to emissions from an equivalent conventional fuel produced from conventional petroleum sources. In summary, my amendment would stop the government from enforcing this ban on all Federal agencies funded by the Milcon-VA bill.

The initial purpose of section 526 was to stifle the Defense Department's plans to buy and develop coal-based or coal-to-liquids jet fuel. This restriction was based on the opinion of some environmentalists that coal-based jet fuel might produce more greenhouse gas emissions than traditional petroleum.

□ 1940

We must ensure that our military has adequate fuel resources and that it can rely on domestic and more stable sources of fuel. Unfortunately, section 526's ban on fuel choice now affects all Federal agencies, not just the Defense Department. This is why I am offering this amendment again today to the MilCon-VA appropriations bill. Federal agencies should not be burdened with wasting their time studying fuel restrictions when there is a simple fix, and that is to not restrict our fuel choices based on extreme environmental views, policies, and misguided regulations like those in section 526.

With increasing competition for energy and fuel resources and with the continued volatility and instability in the Middle East, it is now more important than ever for our country to become more energy independent and to further develop and produce our domestic energy resources. Placing limits on Federal agencies' fuel choices is an unacceptable precedent to set in regard to America's energy policy, independence, and our national security. Mr. Chair, section 526 makes our Nation more dependent on Middle East oil. Stopping the impact of section 526 will help us to promote American energy, improve the American economy and create American jobs.

Let's remember the following facts about section 526: It increases our reliance on Middle Eastern oil. It hurts our military readiness, our national security, and our energy security. It also prevents the potential increased use of some sources of safe, clean, and efficient American oil and gas. It increases the cost of American food and energy. It hurts American jobs and the American economy. Last but certainly not least, it costs our taxpayers more of their hard-earned dollars.

In some circles, there is a misconception that my amendment somehow prevents the Federal Government and the military from being able to produce and use alternative fuels. Mr. Chairman, this viewpoint is categorically false. All my amendment does is to allow the purchasers of these fuels to acquire the fuels that best and most efficiently meet their needs. I offered a similar amendment to the CJS appropriations bill, and it passed with strong bipartisan support. My friend Mr. CONAWAY also had language added to the Defense authorization bill to exempt the Defense Department from this burdensome regulation.

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

Mr. BISHOP of Georgia. I move to strike the last word.

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

Mr. BISHOP of Georgia. I rise in opposition to the gentleman's amendment.

Section 526 of the Energy Independence and Security Act of 2007 is intended to ensure that the environmental costs from the use of alternative fuels are at least no worse than the fuels in use today. It requires that the Federal Government do no more harm when it comes to global climate change than it does today through the use of unconventional fuels.

Section 526 precludes the use of fuels, such as coal-to-liquids, as well as unconventional petroleum fuels, such as tar sands and oil shale, unless advanced technologies, such as carbon sequestration, are used to mitigate the greenhouse gas emissions. The corollary is that domestic production could be achieved with carbon sequestration. Further, the EIA predicts that these alternative fuels may well take decades to develop and that the additional fuel production capacity of these alternatives is unlikely to exceed 10 percent of the fuel supply by 2030.

A number of the reports have concluded that the potential adverse national security impacts of climate change, such as political unrest due to famines and droughts, may very well be severe. These consequences can outweigh the security benefits of the domestic production of these fuels.

The Department of Defense alone is the largest single energy consumer in the world. It consumes approximately as much energy as the nation of Nigeria. Its leadership in this area is critical to any credible approach to dealing with energy security issues in a way that will not result in dangerous global climate change. This prohibition provides an opportunity for the DOD to play a substantial role in spurring innovation to produce alternative fuels which will not worsen global climate change.

I urge Members to vote ''no'' on this amendment, and I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment.

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

Mr. CULBERSON. We accepted this amendment, and it passed the House last year.

I am happy to yield to my friend from Texas for any further comments he would like to make.

Mr. FLORES. I thank the gentleman from Texas.

Let's restate what this amendment does.

It prevents section 526 from restricting the fuel choices available to our military and to our Federal agencies. It doesn't say that they cannot go ahead and develop alternative fuel sources. We can debate whether or not that's appropriate. The Navy recently made a purchase of biofuel for $27 a gallon, which was five to six times more expensive than traditional fuels. Now, we can debate if that's the appropriate use of taxpayer money. I think it's wrong. This amendment would not affect that whatsoever. All it says is that the Navy or the other branches of the military or any Federal agency affected by MilCon-VA can buy whatever fuel it deems most appropriate for its needs.

Mr. CULBERSON. Mr. Chairman, I urge the adoption of the amendment.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEBSTER

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the salary or compensation of a Director of Construction and Facilities Management of the Department of Veterans Affairs (or an individual acting as such Director) who does not meet the qualifications for such position required under section 312A(b) of title 38, United States Code.

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

Mr. WEBSTER. My amendment is simple. It requires the Department of Veterans Affairs to follow existing law and to insist on having an experienced Director of Construction and Facilities Management. All it requires is that the holder of this position have a degree in

architecture or engineering and have professional experience in construction project management.

Not many people have heard of this position, but it carries enormous responsibility, not only for the stewardship of our tax dollars, but also for ensuring that our veterans have the facilities necessary for the health care and medical treatment we promised them and they earned. The VA manages over 5,000 buildings nationwide. According to the GAO, it has nearly 70 ongoing major construction projects around the country, 33 of which are major medical facilities. Of these 33, many have experienced considerable cost overruns and schedule delays.

Four of the largest projects under construction are full service hospitals designed to provide health care to the hundreds of thousands of American veterans. The VA will spend an estimated $3 billion on these four facilities. One of these sites is in Orlando. The construction of the Orlando VAMC has been a classic example of government waste and inefficiency. The VA broke ground on the site in 2008 with a scheduled completion date of 2010. The estimated completion date now has been pushed back well into 2013.

Several GAO reports and House Veterans Affairs' Committee hearings have sought to determine the root cause of these problems. However, it is increasingly clear that the lack of expertise on the part of the Department of Construction and Facilities Management within the VA bears responsibility. The VA has violated public law by ignoring the required qualifications to occupy a position that oversees these projects. The result is a cost to the taxpayers of an additional $1.1 billion on the four largest projects alone and multiple-year delays in health care services to our veterans.

The qualifications are shockingly simple for a position that oversees the construction of veterans' health care facilities that cost billions of dollars. An individual who holds the position of Director of Construction and Facilities Management, under current law, must meet two qualifications: (1) hold an undergraduate or a master's degree in architectural design or engineering; (2) have professional experience in the area of construction and project management.

My amendment simply requires that the funds used to hire this person meet that criteria. The Director of Construction and Facilities Management will potentially oversee as much as $15 billion in construction and repairs over the next 5 years. We owe it to our Nation's heroes to have qualified, experienced people behind these critical projects.

I urge my colleagues to vote ''yes'' on this Webster amendment to ensure that not only valuable taxpayer dollars are appropriately managed but that our veterans have access to the high-quality health care facilities that they deserve.

I yield back the balance of my time.

□ 1950

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

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. FRANKS OF ARIZONA

Mr. FRANKS of Arizona. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 66, after line 10, add the following new section:

SEC. 519. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

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

Mr. FRANKS of Arizona. Mr. Chairman, I rise today in support of this amendment to H.R. 5854, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act of 2013. I also want to thank my colleagues—Mr. GOSAR, Mr. STEVE KING, and Mr. AMASH—for joining me in cosponsoring this amendment.

Mr. Chairman, my amendment would ensure that no funds made available by H.R. 5854 could be used to implement, administer, or enforce the Davis-Bacon Act requirements for government contracts.

Mr. Chairman, the Davis-Bacon Act is an anachronistic law that was enacted during the Great Depression to prevent wayfaring contractors from lowballing local construction bids. The sponsors of this act originally intended for it to discriminate against non-unionized black workers in favor of white workers belonging to white-only unions. This vestigial remnant of the Jim Crow era has no place in our military construction contracts and should be abandoned.

Furthermore, the Davis-Bacon Act results in billions of wasted taxpayer dollars every year. The act requires Federal construction contractors to pay their workers higher government-mandated wages, which would be as much as 1½ times greater than their basic pay rate. This results in artificially high costs of construction, Mr. Chairman, which are ultimately shouldered by American taxpayers. Contractors wishing to offer a lower bid would still be required by law to pay their employees the higher government-mandated wage and file a weekly report of the wages paid to each worker. This has a particularly negative effect on small businesses as they are often unable to compete due to the Davis-Bacon wage and benefits requirements, which reduces competition and further inflates contract rates.

Moreover, Mr. Chairman, Davis-Bacon was enacted before the Fair Labor Standards Act and the National Labor Relations Act; and, according to GAO, these acts have rendered Davis-Bacon obsolete and unnecessary. There are a number of laws passed by this body that protect construction workers without the discriminatory intent and effect of Davis-Bacon.

During this time of fiscal austerity and responsibility, Congress must do all it can to lower Federal contract costs and decrease the burden on American taxpayers. This amendment is an attempt to stop the hemorrhage of wasteful spending and rein in our debt.

I urge my colleagues to support this amendment that would ensure no funds are made available by H.R. 5854 that could be used to implement, administer, or enforce the wasteful Davis-Bacon Act, and I yield back the balance of my time, Mr. Chairman.

Mr. BISHOP of Georgia. Mr. Chairman, I move to strike the last word.

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

Mr. BISHOP of Georgia. Mr. Chairman, this is a very ill-conceived amendment, and I must stand in opposition to it.

The Davis-Bacon Act requires that workers on federally funded construction projects be paid no less than the wages paid in the community for similar work. It requires that every contract for construction of which the Federal Government is a party in excess of $2,000 contain a provision defining the minimum wages paid to various classes of laborers and mechanics. This is a pretty simple concept, and it is a fair one. What the Davis-Bacon Act does is protect the government, as well as the workers, in carrying out the policy of paying decent wages on government contracts.

I would like to just mention quickly that Davis-Bacon has no effect on the total cost of construction. Study after study reveals productivity makes up for any additional labor costs, essentially eliminating any cost savings if the law were repealed. But this amendment seeks to prevent Federal agencies from administering these requirements in statute. Let me give you a few examples of how this poorly thought-out proposal could actually play out in the real world if it's enacted into law.

The amendment, as is written, could prevent Federal agencies that use funds through this legislation from monitoring, investigating, transmitting conformances, and providing compliance assistance to existing Davis-Bacon covered contracts that were awarded prior to this funding legislation. Contractors requesting H2B visas could conceivably request non-U.S. workers receive permits for employment at wage rates not in concert with the Davis-Bacon wage rates of that locality. Procurement agencies may not be able to proceed with the award of contracts that were solicited in the prior fiscal period but awarded under this funding legislation. During the period covered by this funding, bidders could use wages as a method of undercutting the locally established wage

rates of that community that might promote the use of workers from different geographic areas. The amendment could prevent Federal agencies that use money from this appropriation from advising State, local, and other grant recipients of DBA application to federally assisted programs that would otherwise be subject to the DBA provisions.

This is not responsible legislation, and it's not responsible governing. I urge the defeat of this amendment, and I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment.

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

Mr. CULBERSON. I want to say again, as I mentioned earlier—and I think much of this has been said, so I won't belabor it—the State of Texas is a right-to-work State. There are very few, if any, labor unions in the State of Texas. We have them in a few industries, but not many.

We have to be good stewards of the taxpayers' precious dollars, and the gentleman from Arizona's amendment makes good sense. We should pay the free-market wage. We should not force taxpayers to pay an artificially high union wage when a free-market wage is available and you can get a job done well at a far better price. That just makes common sense.

Mr. Chairman, I urge adoption of the gentleman's amendment, and I yield back the balance of my time.

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

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

Mr. DICKS. Mr. Chairman, let me just clear up a couple of things, especially what the gentleman from Texas just had to say.

This may be something that will be hard for him to believe, but this is, as I understand it, from the Labor Department. A Davis-Bacon wage usually is not a union wage. The Davis-Bacon prevailing wage is based upon surveys of wages and benefits actually paid to various job classifications of construction workers—an example is iron workers—in the community without regard to union membership.

According to the Department of Labor, a whopping 72 percent of the prevailing wage rates issued in 2000 were based upon nonunion wage rates. A union wage prevails only if the DOL survey determines that the local wages are paid to more than 50 percent of the workers in the job classification. So 72 percent of these prevailing wages are nonunion. I'm sure the gentleman from Texas and the gentleman from Arizona are thrilled to hear that. Sometimes the facts are revealing.

Again, we've defeated this amendment over and over and over again. Mr. Chairman, I urge the House to defeat the Franks amendment this evening, and I yield back the balance of my time.

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

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

Mr. FRANKS of Arizona. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT OFFERED BY MR. STEARNS

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

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to pay a performance award under section 5384 of title 5, United States Code.

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

□ 2000

Mr. STEARNS. Mr. Chairman, I am not going to take the full 5 minutes. My amendment is pretty simple. It will prohibit funds from being paid as bonuses to employees that are classified in the Senior Executive Service.

What we found when we looked at this, the Veterans' Affairs Committee held a hearing on this, on the budget, in February of this year. The Secretary of the VA testified that their budget request was held accountable for the program results. Of course, one of the issues that came up, Mr. Chairman, was the enormous bonuses and awards that were given out to VA employees.

I think, like many of us here in the House, we are concerned about bonuses when we have so many problems in this economy, high employment, and also we have an unmanageable backlog of cases, an extremely long wait for our veterans to see mental health professionals.

Of course, the VA has a history of poor contracting process and oversight. For example, at the Miami VA Health Center, veterans may have been exposed to HIV/AIDS due to poor sterilization procedures down there. Despite these poor records, they are giving out huge bonuses for simple things like suggestions, foreign language award, travel, savings incentives, referral bonuses.

In fact, on recruitment and relocation retention alone, almost 60,000 recipients received over 450,000 in cash bonuses. My simple amendment is saying enough is enough. What we want to do is say all of government should make a sacrifice, particularly the VA. If they're giving out these huge bonuses, why don't they cut back on their senior, senior employees.

Mr. DICKS. Will the gentleman yield?

Mr. STEARNS. I yield to the gentleman.

Mr. DICKS. Could we work out an agreement here that we could take the savings from the gentleman's amendment and use that to pay the workers, the half of 1 percent raise that is denied in this? Is there a way we could work this out?

Mr. STEARNS. I thank the gentleman for his suggestions. I am just going to go with my amendment at this point. Having an opportunity to look this over, I think we have talked to the veterans committee, and we think it is a viable amendment. I think certainly as we move into conference, we can look at what you're suggesting, but right now I would just like to press this.

Mr. DICKS. I appreciate the gentleman yielding.

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

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

The amendment was agreed to.

Mr. CULBERSON. 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. BASS of New Hampshire) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

## COMMUNICATION FROM THE HONORABLE VIRGINIA FOXX, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable VIRGINIA FOXX, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, May 30, 2012.*

Hon. JOHN A. BOEHNER,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Superior Court for the State of North Carolina, Surry County in connection with a criminal prosecution currently pending before that court.

After consultation with the Office of General Counsel, I have determined that because the subpoena is not ''material and relevant,'' compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

VIRGINIA FOXX,
*Member of Congress.*

## ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5325, and that I may include tabular material on the same.

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

There was no objection.

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

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

□ 2009

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. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. WOODALL 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 New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 2010

Mr. FRELINGHUYSEN. Mr. Chairman, it is my honor to bring the fiscal year 2013 Energy and Water bill before the full House.

Before I begin my remarks, let me thank the full chairman, Mr. ROGERS, as well as the ranking member, Mr. DICKS, for their support of a very open process. I would also like to thank my ranking member, Congressman PETE VISCLOSKY, for his dedication to our joint mission and our close working relationship. The bill is stronger for his input and knowledge.

I would also like to thank the committee staff: Rob Blair, our clerk; Joe Levin; Loraine Heckenberg; Angie Giancarlo; Perry Yates; and Trevor Higgins. On the minority side, I would like to thank Taunja Berquam. I would also like to thank my personal staff, Nancy Fox and Katie Hazlett, and Mr. VISCLOSKY's personal staff in the form of Joe DeVo.

Mr. Chairman, the Energy and Water Development appropriations bill supports programs critical to our Nation's security, safety, and economic competitiveness. Our recommendation prioritizes investments in our nuclear security enterprise, programs to address gasoline prices, and opportunities to advance American competitiveness, including the key role of the Army Corps of Engineers.

The bill for fiscal year 2013 totals $32.1 billion. Security funding is increased by $275 million over last year, while non-security funding is cut by $188 million.

Mr. Chairman, there are no earmarks in this legislation.

We also reclaim most unused funds from previous Congresses, so this bill actually cuts spending by $623 million below last year, forcing our agencies down to more appropriate sizes and to operate with less money. The only significant increases over last year's level are to nuclear security and to develop a true all-of-the-above energy strategy. We also provide more funding to the Corps, including $1 billion for Harvard Maintenance Trust Fund projects. The recommendation also fully funds Weapons Activities to ensure that the Secretary of Energy has the investments he needs to certify to the President that our nuclear stockpile is reliable.

We have also heard from the public frustration about ''stimulus fund'' investments into failed energy projects. This bill will remove the Energy Department back to its core responsibilities—to serve Americans by protecting their security and improving our energy independence. Our bill will help improve that independence by sustaining fossil and nuclear energy research development, the latter of which is leading to investments in new nuclear power plants and developing small modular reactors. And, unlike the President, we have always considered ''clean coal'' to be part of our national energy security.

At the same time, the Department of Energy's energy programs are cut by nearly $600 million, or 6 percent, by reducing programs which received the largesse of the largely failed so-called ''stimulus'' program. No funding is provided for the Solyndra-like loan guarantee programs in our bill.

All of our constituents are wrestling with how to pay for higher gasoline bills on limited budgets. This bill does not provide a quick fix, since there's little that the Department can do in its programs to immediately change oil supply and demand. However, the bill provides over $1.01 billion—$36 million above fiscal year 2012—to strengthen the Department of Energy's programs addressing the causes and impacts of higher gasoline prices down the road.

Within this, the recommendation funds a new program to promote shale oil recovery. If we could fully use this resource, our country's reserves could equal all global conventional reserves. This would make a major dent in oil prices and reduce our dependency on foreign oil.

Additionally, scientific research at the Department of Energy strengthens American competitiveness and enables true breakthroughs in the energy sector, and the bill preserves and protects it. The bill also protects public safety and keeps America literally open for business by providing $4.8 billion for the Army Corps of Engineers, $83 million above the request and $188 million below fiscal year 2012.

As in fiscal year 2012, our bill maintains the constitutional role of Congress in the appropriations process by ensuring that all worthy Corps of Engineers projects have a chance to compete for funding. The bill provides $324 million in addition to the President's requested projects, investing in navigation and flood control—activities most critical to public safety, jobs, and our economy.

Finally, a word about Yucca Mountain. The recommendation includes $25 million for Yucca Mountain with language prohibiting activity which keeps that facility from being usable in the future. The recommendation also denies funding for Blue Ribbon Commission activities, which need legislative authorization. Research and development activities to support Yucca Mountain are permitted. This will ensure that we keep Congress in the driver's seat for nuclear waste policy.

Mr. Chairman, this is a tight, fiscally conservative bill which funds critical national security, jobs, and infrastructure priorities while helping to fight future gasoline price increases. This bill deserves our Members' support, and I look forward to an open and full discussion and open process.

I reserve the balance of my time.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2013 (H.R. 5325)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF DEFENSE - CIVIL | | | | | |
| DEPARTMENT OF THE ARMY | | | | | |
| Corps of Engineers - Civil | | | | | |
| Investigations | 125,000 | 102,000 | 102,000 | -23,000 | --- |
| Construction | 1,694,000 | 1,471,000 | 1,477,284 | -216,716 | +6,284 |
| Section 902 outlays | --- | --- | --- | --- | --- |
| Mississippi River and Tributaries | 252,000 | 234,000 | 224,000 | -28,000 | -10,000 |
| Disaster relief category (P.L. 112-77) | 802,000 | --- | --- | -802,000 | --- |
| Operations and Maintenance | 2,412,000 | 2,398,000 | 2,507,409 | +95,409 | +109,409 |
| Disaster relief category (P.L. 112-77) | 534,000 | --- | --- | -534,000 | --- |
| Regulatory Program | 193,000 | 205,000 | 190,000 | -3,000 | -15,000 |
| Formerly Utilized Sites Remedial Action Program (FUSRAP) | 109,000 | 104,000 | 104,000 | -5,000 | --- |
| Flood Control and Coastal Emergencies | 27,000 | 30,000 | 27,000 | --- | -3,000 |
| Disaster relief category (P.L. 112-77) | 388,000 | --- | --- | -388,000 | --- |
| Expenses | 185,000 | 182,000 | 177,500 | -7,500 | -4,500 |
| Office of Assistant Secretary of the Army (Civil Works) | 5,000 | 5,000 | 5,000 | --- | --- |
| Total, title I, Department of Defense - Civil | 6,726,000 | 4,731,000 | 4,814,193 | -1,911,807 | +83,193 |
| Appropriations | (5,002,000) | (4,731,000) | (4,814,193) | (-187,807) | (+83,193) |
| Disaster relief category | (1,724,000) | --- | --- | (-1,724,000) | --- |
| TITLE II - DEPARTMENT OF THE INTERIOR | | | | | |
| Central Utah Project Completion Account | | | | | |
| Central Utah Project construction | 25,154 | --- | 18,500 | -6,654 | +18,500 |
| Fish, wildlife, and recreation mitigation and conservation | 2,000 | --- | 1,200 | -800 | +1,200 |
| Subtotal | 27,154 | --- | 19,700 | -7,454 | +19,700 |
| Program oversight and administration | 1,550 | --- | 1,300 | -250 | +1,300 |
| Total, Central Utah project completion account | 28,704 | --- | 21,000 | -7,704 | +21,000 |
| Bureau of Reclamation | | | | | |
| Water and Related Resources | 895,000 | 818,635 | 833,635 | -61,365 | +15,000 |
| Central Valley Project Restoration Fund | 53,068 | 39,883 | 39,883 | -13,185 | --- |
| California Bay-Delta Restoration | 39,651 | 36,000 | 36,000 | -3,651 | --- |
| Policy and Administration | 60,000 | 60,000 | 57,000 | -3,000 | -3,000 |
| Indian Water Rights Settlements | --- | 46,500 | --- | --- | -46,500 |
| San Joaquin Restoration Fund | --- | 12,000 | --- | --- | -12,000 |
| Central Utah Project Completion | --- | 21,000 | --- | --- | -21,000 |
| Total, Bureau of Reclamation | 1,047,719 | 1,034,018 | 966,518 | -81,201 | -67,500 |
| Total, title II, Department of the Interior | 1,076,423 | 1,034,018 | 987,518 | -88,905 | -46,500 |
| TITLE III - DEPARTMENT OF ENERGY | | | | | |
| Energy Programs | | | | | |
| Energy Efficiency and Renewable Energy | 1,825,000 | 2,337,000 | 1,450,960 | -374,040 | -886,040 |
| Rescission | -9,909 | -69,667 | -69,667 | -59,758 | --- |
| Sec. 309 - Contractor pay freeze rescission | -5,453 | --- | --- | +5,453 | --- |
| Subtotal | 1,809,638 | 2,267,333 | 1,381,293 | -428,345 | -886,040 |
| Electricity Delivery and Energy Reliability | 139,500 | 143,015 | 123,000 | -16,500 | -20,015 |

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2013 (H.R. 5325)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Sec. 309 - Contractor pay freeze rescission | -397 | --- | --- | +397 | --- |
| Subtotal | 139,103 | 143,015 | 123,000 | -16,103 | -20,015 |
| Nuclear Energy | 768,663 | 770,445 | 765,391 | -3,272 | -5,054 |
| Sec. 309 - Contractor pay freeze rescission | -3,272 | --- | --- | +3,272 | --- |
| Subtotal | 765,391 | 770,445 | 765,391 | --- | -5,054 |
| Fossil Energy Research and Development | 534,000 | 420,575 | 554,000 | +20,000 | +133,425 |
| Rescission | -187,000 | --- | --- | +187,000 | --- |
| Sec. 309 - Contractor pay freeze rescission | -297 | --- | --- | +297 | --- |
| Subtotal | 346,703 | 420,575 | 554,000 | +207,297 | +133,425 |
| Naval Petroleum and Oil Shale Reserves | 14,909 | 14,909 | 14,909 | --- | --- |
| Elk Hills School Lands Fund | --- | 15,580 | 15,580 | +15,580 | --- |
| Strategic Petroleum Reserve | 192,704 | 195,609 | 195,609 | +2,905 | --- |
| SPR Petroleum Account (rescission) | -500,000 | -291,000 | --- | +500,000 | +291,000 |
| Northeast Home Heating Oil Reserve | 10,119 | 10,119 | 10,119 | --- | --- |
| Rescission | -100,000 | -6,000 | -6,000 | +94,000 | --- |
| Subtotal | -89,881 | 4,119 | 4,119 | +94,000 | --- |
| Energy Information Administration | 105,000 | 116,365 | 100,000 | -5,000 | -16,365 |
| Non-defense Environmental Cleanup | 235,721 | 198,506 | 198,506 | -37,215 | --- |
| Sec. 309 - Contractor pay freeze rescission | -415 | --- | --- | +415 | --- |
| Subtotal | 235,306 | 198,506 | 198,506 | -36,800 | --- |
| Uranium Enrichment Decontamination and Decommissioning Fund | 472,930 | 442,493 | 425,493 | -47,437 | -17,000 |
| Sec. 309 - Contractor pay freeze rescission | -750 | --- | --- | +750 | --- |
| Subtotal | 472,180 | 442,493 | 425,493 | -46,687 | -17,000 |
| Science | 4,889,000 | 4,992,052 | 4,824,931 | -64,069 | -167,121 |
| Rescission | --- | --- | -23,500 | -23,500 | -23,500 |
| Sec. 309 - Contractor pay freeze rescission | -15,366 | --- | --- | +15,366 | --- |
| Subtotal | 4,873,634 | 4,992,052 | 4,801,431 | -72,203 | -190,621 |
| Advanced Research Projects Agency-Energy | 275,000 | 350,000 | 200,000 | -75,000 | -150,000 |
| Nuclear waste disposal | --- | --- | 25,000 | +25,000 | +25,000 |
| Title 17 Innovative Technology Loan Guarantee Program | 38,000 | 38,000 | 38,000 | --- | --- |
| Offsetting collection | -38,000 | -38,000 | -38,000 | --- | --- |
| Subtotal | --- | --- | --- | --- | --- |
| Advanced Technology Vehicles Manufacturing Loans program | 6,000 | 9,000 | 6,000 | --- | -3,000 |
| Departmental Administration | 237,623 | 230,783 | 230,783 | -6,840 | --- |
| Miscellaneous revenues | -111,623 | -108,188 | -108,188 | +3,435 | --- |
| Net appropriation | 126,000 | 122,595 | 122,595 | -3,405 | --- |
| Office of the Inspector General | 42,000 | 43,468 | 43,468 | +1,468 | --- |
| Total, Energy programs | 8,813,687 | 9,815,064 | 8,976,394 | +162,707 | -838,670 |

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2013 (H.R. 5325)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Atomic Energy Defense Activities | | | | | |
| National Nuclear Security Administration | | | | | |
| Weapons Activities | 7,233,997 | 7,577,341 | 7,577,341 | +343,344 | --- |
| Sec. 309 - Contractor pay freeze rescission | -19,877 | --- | --- | +19,877 | --- |
| Rescission | --- | --- | -65,000 | -65,000 | -65,000 |
| Subtotal | 7,214,120 | 7,577,341 | 7,512,341 | +298,221 | -65,000 |
| Defense Nuclear Nonproliferation | 2,324,303 | 2,458,631 | 2,283,024 | -41,279 | -175,607 |
| Rescission | -21,000 | --- | -7,000 | +14,000 | -7,000 |
| Sec. 309 - Contractor pay freeze rescission | -7,423 | --- | --- | +7,423 | --- |
| Subtotal | 2,295,880 | 2,458,631 | 2,276,024 | -19,856 | -182,607 |
| Naval Reactors | 1,080,000 | 1,088,635 | 1,086,635 | +6,635 | -2,000 |
| Office of the Administrator | 410,000 | 411,279 | 400,000 | -10,000 | -11,279 |
| Total, National Nuclear Security Administration | 11,000,000 | 11,535,886 | 11,275,000 | +275,000 | -260,886 |
| Environmental and Other Defense Activities | | | | | |
| Defense Environmental Cleanup | 5,023,000 | 5,009,001 | 4,930,078 | -92,922 | -78,923 |
| Sec. 309 - Contractor pay freeze rescission | -20,050 | --- | --- | +20,050 | --- |
| Rescission | --- | --- | -10,000 | -10,000 | -10,000 |
| Subtotal | 5,002,950 | 5,009,001 | 4,920,078 | -82,872 | -88,923 |
| Defense Environmental Cleanup (legislative proposal) | --- | 463,000 | --- | --- | -463,000 |
| Other Defense Activities | 823,364 | 735,702 | 813,364 | -10,000 | +77,662 |
| Total, Environmental and Other Defense Activities | 5,826,314 | 6,207,703 | 5,733,442 | -92,872 | -474,261 |
| Total, Atomic Energy Defense Activities | 16,826,314 | 17,743,589 | 17,008,442 | +182,128 | -735,147 |
| Power Marketing Administrations /1 | | | | | |
| Operation and maintenance, Southeastern Power Administration | 8,428 | 8,732 | 8,732 | +304 | --- |
| Offsetting collections | -8,428 | -8,732 | -8,732 | -304 | --- |
| Subtotal | --- | --- | --- | --- | --- |
| Operation and maintenance, Southwestern Power Administration | 45,010 | 44,200 | 44,200 | -810 | --- |
| Offsetting collections | -33,118 | -32,308 | -32,308 | +810 | --- |
| Subtotal | 11,892 | 11,892 | 11,892 | --- | --- |
| Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration | 285,900 | 291,920 | 291,920 | +6,020 | --- |
| Offsetting collections | -189,932 | -195,790 | -195,790 | -5,858 | --- |
| Subtotal | 95,968 | 96,130 | 96,130 | +162 | --- |
| Falcon and Amistad Operating and Maintenance Fund | 4,169 | 5,555 | 5,555 | +1,386 | --- |
| Offsetting collections | -3,949 | -5,335 | -5,335 | -1,386 | --- |
| Subtotal | 220 | 220 | 220 | --- | --- |
| Total, Power Marketing Administrations | 108,080 | 108,242 | 108,242 | +162 | --- |
| Federal Energy Regulatory Commission | | | | | |
| Salaries and expenses | 304,600 | 304,600 | 304,600 | --- | --- |

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL FY 2013 (H.R. 5325)
(Amounts in thousands)

| | FY 2012 Enacted | FY 2013 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Revenues applied | -304,600 | -304,600 | -304,600 | --- | --- |
| General Provision | | | | | |
| Section 309 - Contractor pay freeze (Rescission) | (-73,300) | --- | --- | (+73,300) | --- |
| Total, title III, Department of Energy | 25,748,081 | 27,666,895 | 26,093,078 | +344,997 | -1,573,817 |
| Appropriations | (26,639,290) | (28,033,562) | (26,274,245) | (-365,045) | (-1,759,317) |
| Rescissions | (-891,209) | (-366,667) | (-181,167) | (+710,042) | (+185,500) |
| TITLE IV - INDEPENDENT AGENCIES | | | | | |
| Appalachian Regional Commission | 68,263 | 64,850 | 75,317 | +7,054 | +10,467 |
| Defense Nuclear Facilities Safety Board | 29,130 | 29,415 | 29,415 | +285 | --- |
| Delta Regional Authority | 11,677 | 11,315 | 11,677 | --- | +362 |
| Denali Commission | 10,679 | 10,165 | 10,679 | --- | +514 |
| Northern Border Regional Commission | 1,497 | 1,425 | 1,425 | -72 | --- |
| Southeast Crescent Regional Commission | 250 | --- | 250 | --- | +250 |
| Nuclear Regulatory Commission: | | | | | |
| Salaries and expenses | 1,027,240 | 1,042,200 | 1,038,800 | +11,560 | -3,400 |
| Revenues | -899,726 | -914,832 | -911,772 | -12,046 | +3,060 |
| Subtotal | 127,514 | 127,368 | 127,028 | -486 | -340 |
| Office of Inspector General | 10,860 | 11,020 | 11,020 | +160 | --- |
| Revenues | -9,774 | -9,918 | -9,918 | -144 | --- |
| Subtotal | 1,086 | 1,102 | 1,102 | +16 | --- |
| Total, Nuclear Regulatory Commission | 128,600 | 128,470 | 128,130 | -470 | -340 |
| Nuclear Waste Technical Review Board | 3,400 | 3,400 | 3,400 | --- | --- |
| Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects | 1,000 | 3,084 | 1,000 | --- | -2,084 |
| Total, title IV, Independent agencies | 254,496 | 252,124 | 261,293 | +6,797 | +9,169 |
| Appropriations | (254,496) | (252,124) | (261,293) | (+6,797) | (+9,169) |
| Rescissions | --- | --- | --- | --- | --- |
| Grand total | 33,805,000 | 33,684,037 | 32,156,082 | -1,648,918 | -1,527,955 |
| Appropriations | (32,972,209) | (34,050,704) | (32,337,249) | (-634,960) | (-1,713,455) |
| Disaster relief category | (1,724,000) | --- | --- | (-1,724,000) | --- |
| Rescissions | (-891,209) | (-366,667) | (-181,167) | (+710,042) | (+185,500) |

1/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling.

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

I would like to begin by expressing my appreciation to Chairman FRELINGHUYSEN for his efforts to be inclusive and transparent in drafting this legislation. The process has been collegial, and the chairman has ensured that the Energy and Water Subcommittee continues its tradition of bipartisanship and cooperation. I would like to join the chairman in thanking the other members of the subcommittee and also all of their staffs for their exceptionally good and dedicated work. Finally, this bill could not have been written without the dedication, hard work, and sound judgment of our committee staff. The chairman has kindly enumerated them by name.

Given the constrained allocation that the subcommittee was dealt, I believe that Chairman FRELINGHUYSEN has crafted a good bill. While I hope that we can modify some elements of the bill going forward, I would observe that our differences are marginal.

As the chairman mentioned in his remarks, the allocation for the Energy and Water bill is $31.2 billion, which is $964 million below the administration's budget request and $88 billion above last year's level. As a result, the bill makes dramatic reductions to vital energy programs to stay within the allocation.

While I recognize that difficult choices must be made to address the Nation's serious financial situation, and I believe that Chairman FRELINGHUYSEN has made a considerable effort to craft a balanced bill, this legislation is severely hampered by the shortsighted nature of the spending cap set by the House-approved budget resolution. The allocation for Energy and Water is simply insufficient to meet the challenges posed by our energy crisis, the need to maintain our water infrastructure, and our national security requirements.

That being said, I would like to point out some of the very positive aspects of the bill. I am grateful that additional funds for core Nonproliferation activities and Vehicle Technologies were included. These are very smart investments. The first is vital to our national security as securing, removing, and curbing the spread of nuclear materials is one of the great international challenges our country faces. I would argue the increased funding for Vehicle Technology is also a smart national security investment. Specifically, the program researches the development of lightweight materials, high-powered batteries, and hybrid electric drive motors. As the cars and trucks of our citizens and the ships, planes, and tanks of our military rely heavily on petroleum fuels, technology breakthroughs and fuel efficiency are crucial to reducing our dependency on carbon fuels and crucial to improving our national security since so much of our current fuel mix is imported from unfriendly nations.

Additionally, I truly appreciate the chairman's commitment to American manufacturing. This was a theme of many of our subcommittee hearings this year and he has included strong language in this regard. I believe we need to pull out all the stops to support domestic manufacturing, which remains one of the most important drivers of our economy.

Further, I see very little merit to using Federal dollars to foster breakthroughs for products that are not ultimately manufactured domestically. The bill upholds and continues many of the efforts to improve program and projects management at all of the agencies under its jurisdiction. I strongly support the committee in this effort and all the provisions, old and new, aimed at increased oversight and improved project management at the Corps of Engineers and the Department of Energy. I am grievously disappointed that the bill has to carry these commonsense provisions year after year after year, and I hope that the agencies begin to incorporate these policies into their management structure.

□ 2020

That being said, with the recent Inspector General report detailing egregious overpayments to lab employees by DOE, including an example of one worker receiving a taxpayer-funded per diem for more than a decade, I am not optimistic that the message is yet engrained in Energy's culture. Where were the auditors? Where was the Inspector General for the last decade?

The bill includes continued funding for the Office of Health, Safety and Security and the Defense Nuclear Facilities Safety Board. These Agencies play important roles in oversight of DOE and NNSA projects. Their independent assessment and enforcement are crucial to worker health and safety at these facilities.

With regard to the Army Corps of Engineers, I am pleased that the bill provides $83 million above the President's woefully inadequate request, ensuring that some ongoing projects will not be terminated. However, the bill provides $188 million less than current-year funding. We must invest in our infrastructure by making preventive and proactive investments. Just last year, this bill carried more than $2 billion in emergency funding to respond to natural disasters. I believe this again proves that it makes more fiscal sense to prevent a disaster than to respond to one.

Specific to the applied energy programs at the Department of Energy, the bill provides appropriate funding for fossil and nuclear energy, which continue to provide the bulk of our energy needs. However, I am disappointed that renewable energy programs in this bill are reduced by over $400 million from 2012 and nearly $900 million from the President's request. This disinvestment is a serious setback to our energy future. We know energy can achieve cost competitiveness, but at this time a continued and sustained research and development program is necessary and appropriate.

Lastly, I would like to express my support for the chairman's inclusion of funding for the Yucca Mountain nuclear waste disposal project and for including the provision to prohibit the use of funding to abandon the project. I agree with him and the other subcommittee members that the administration's actions to close the project run counter to the Nuclear Waste Policy Act of 1982.

In closing, I am pleased that we are considering this bill under an open rule and that the Appropriations Committee continues to function amidst the turmoil that has stagnated so many other legislative efforts. Much of this credit is due to Chairman ROGERS and Ranking Member DICKS. I commend them for their efforts in this regard. I would also like to reiterate my sentiments at the beginning of my statement that Chairman FRELINGHUYSEN has done an excellent job, and I support the bill we are considering today.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky, Chairman ROGERS.

Mr. ROGERS of Kentucky. I thank the chairman for that generous offer.

Mr. Chairman, this is a good bill. It is a hard-fought bill. It is a tough bill, and I want to commend the chairman and the ranking member for their hard work because the allocation to this subcommittee was not greatest in the world. But Chairman FRELINGHUYSEN and Mr. VISCLOSKY, I think, have done wonders with a short allocation.

It funds the Department of Energy, the Army Corps of Engineers, the Bureau of Reclamation $32.1 billion. That's a cut of nearly $1 billion off of the President's request; and within the bill we've placed the highest priorities on programs that shore up our national security, help tackle skyrocketing gasoline and energy prices, and support American competitiveness.

We know this is a bill that can do a great deal to help promote job creation, improve public safety and regional commerce, and help relieve some of that pain at the pump in the future. So we've made those smart investments that will help boost the American economy.

Nuclear security programs, as the chairman mentioned, are increased by $275 million over last year. We've made the key investments that are needed to modernize our nuclear weapons stockpile and its supporting infrastructure, advance our nuclear nonproliferation activities around the world, and power the reactors that run our Navy—all in order to maintain the safety and readiness of our national defense. To achieve this, the President's request of $7.6 billion for weapons activities is fully funded.

In total, nonsecurity spending in this bill is cut $188 million below last year. Within this nonsecurity category, the committee prioritized programs that support energy security and American competitiveness.

For instance, the Corps of Engineers budget contains $83 million more than what the President requested, directing funds to ensure our waterways stay open in support of commerce that will help our economy thrive.

The committee also invests in finding ways to help America achieve greater energy independence, providing over $1 billion to strengthen DOE programs to help address rapidly rising gasoline prices.

The bill also creates a new shale oil research and development program, and promotes advanced research into coal, natural gas, and other fossil energy resources that provide more than 83 percent of our Nation's energy.

In order to strengthen defense programs and these other national priorities, the committee had to find cuts elsewhere in the bill, cuts that targeted inefficiencies and waste and did the least harm to our Nation's infrastructure and competitiveness.

We've also cut certain energy programs that aren't as valuable to manufacturing and commerce, and we've rescinded prior-year funds wherever possible.

I want to stress that we're still able to fund important programs at adequate levels in order to ensure the safety of our citizens and our future economic security. But as we face the dangers of unresolved debts and skyrocketing deficits, we simply cannot fund everything at elevated amounts. We have to cut back—just as families know they have to cut back in these precarious times.

As I said, Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY did an excellent job working together as they distributed their 302(b) suballocation in the most responsible and effective way possible. The subcommittee and its staffs from both sides of the aisle should be proud, as I know they are, of their hard work on this bill, and I want to thank them for the many hours they spent crafting this bill.

Mr. Chairman, this is a good piece of legislation. I think any reasonable person looking at this bill will find that this committee did the very best that they could with the allocation that they have received. It gives priority to programs that boost our national defense, supports competitiveness and innovation, and helps reduce the volatility of gasoline prices. So I urge my colleagues to support this bill. And with that, I thank Mr. FRELINGHUYSEN and Ranking Member VISCLOSKY and members of your subcommittee and staff for a job well done.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as he may consume to the ranking member of the committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, first of all I would like to commend Chairman FRELINGHUYSEN, whom I've enjoyed working with both here and on the Defense Subcommittee, and Ranking Member VISCLOSKY on their efforts to continue in the tradition of bipartisanship and cooperation. I know that all members of the Energy and Water Subcommittee, in addition to the staff, have worked hard to bring this bill forward and get us where we are today. And I want to commend our chairman, Mr. ROGERS, for again presenting us with an open rule which allows the Members to have a chance to offer amendments. In an era when we don't have earmarks, it is very important that Members have an opportunity to come here to the floor and offer an amendment. I'm not trying to encourage anybody, but it is a reality.

Now, despite the decision made by the Republican leadership, unfortunately, to abandon the overall spending level contained in the Budget Control Act agreement reached last year, I'm encouraged that this bill provides funding above last year's level.

□ 2030

The reality, however, is that if we do not return to the overall levels we agreed to in August, proceeding with additional appropriations bills here in the House will be exceedingly difficult.

Many programs in the Energy and Water bill are sufficiently funded; however, I do have concerns about the funding levels provided to certain accounts. Of particular concern to me are deep cuts in the Energy Efficiency and Renewable Energy program, as well as steep reductions in the ARPA-E program. These programs are vital to continue our Nation's innovation in the energy sector.

I would also like to reiterate Mr. VISCLOSKY's concern over the funding levels of the Army Corps of Engineers relative to FY12, particularly as the Corps struggles with its aging structure. The bill provides the Corps with $188 million less than 2012. We must invest in our infrastructure by making preventative and proactive investments.

Although this subcommittee mark does not fully fund the budget request for the clean-up at the Hanford nuclear site in Washington State, I understand that the funding level is sufficient for continued progress and a realistic work schedule for FY13.

I want to applaud the chairman and ranking member for continuing the funding for the Yucca Mountain nuclear waste storage facility. During the amendment process of this bill, I expect to join an effort led by Chairman SHIMKUS to increase funding in this account in order to underscore the strong bipartisan support in the House for moving ahead with the plan to open the Nation's high-level waste storage facility. I believe, as many do in the House, that the administration's position to close the Yucca Mountain site runs counter to the letter and spirit of the Nuclear Waste Policy Act passed by the Congress.

Mr. FRELINGHUYSEN. Mr. Chairman, I am pleased to yield 2 minutes to a valuable and knowledgeable member of our Subcommittee on Energy and Water, the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. I want to thank the chairman of our committee and the ranking member, Mr. VISCLOSKY, for their great leadership.

As has been mentioned in the limited discussion we've had already, great kudos have been given to Rob and the staff team here that have done such a remarkable job. I'm just a freshman on this committee, and this is my first trip through these appropriations processes. But I've got to tell you that when I go back to my district, I brag on the competence of the staff that work so hard to ensure that the intent of the Congress and of our committee is carried out. So to Rob and his team, I can't thank them enough for the work that they've done.

We've also mentioned Chairman ROGERS and the ranking member, Mr. DICKS, and the full committee for the great leadership that they provide. Hopefully, tonight people can see that amidst all of our difficulties and all of our divisions between the Congress, that people can understand that there are things that we can agree on.

Mr. Chairman, I think that this Energy and Water bill reflects the priorities of our country. There's no question that one of the great priorities facing our country today is the fiscal condition that we're in. And while we'd like to see funding levels at greater than what we're marking tonight, clearly the fiscal condition of our country, money is an object, and it is something that we have to take into consideration.

But I think, as I said, it reflects the priorities, conservative values that lead, guide and direct our fiscal position; but it also addresses some very key national security issues with regard to the National Nuclear Security Administration. And as has already been mentioned, it does put money into programs that drive energy—commonsense, all-of-the-above energy strategies for our Nation.

So, with that, I would commend this bill to this Congress in hopes that we can run rapidly through it. I know there will be amendments. The open rule is a great process, and we're fully supportive of that. But again, I want to commend the chairman and the ranking member for the great leadership, their staffs, and encourage support for this bill and look forward to the process with amendments.

Mr. VISCLOSKY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I rise to engage in a colloquy with the distinguished chairman and ranking member of the Subcommittee on Energy and

Water, Mr. FRELINGHUYSEN and Mr. VISCLOSKY, on the Army Corps of Engineers' policy on vegetation on levees.

I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I'd be glad to engage in a colloquy with the gentlelady from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentlemen from New Jersey and Indiana.

Mr. Chairman, in many areas of the country, such as the communities I represent, Federal flood control projects are essential. Indeed, Sacramento, California, is the most at-risk city in the Nation for potentially catastrophic flooding.

I am a strong supporter of the work done by the Army Corps of Engineers to protect our communities and strengthen our levees. It is therefore with some reservation that I rise to address a matter where the Corps' good intentions could inadvertently have adverse consequences.

In its laudable efforts to ensure that flood control levees function as intended, the Corps has issued draft guidelines regarding the presence of vegetation on and adjacent to flood control levees that could, if implemented without close collaboration with State and local authorities and without flexibility to take into account site-specific conditions, result in the unwarranted and unacceptable loss of critical environmental resources as well as the misapplication of limited Federal and non-Federal dollars.

On May 18, I introduced H.R. 5831, the Levee Vegetation Review Act, a bipartisan bill which is cosponsored by 30 of my colleagues. The bill directs the Corps to review its current policy, taking into account a broad array of factors, including potential regional or watershed-based variances to the national policy where appropriate. It also provides flexibility to the Corps to exempt certain areas from the policy where deemed necessary by the Corps.

Mr. Chairman and Mr. Ranking Member, I ask that you consider the objectives of our bill and the potential impacts of the Corps' current policy, not just on California, but on the Nation, as you move to conference with the Senate on the Fiscal Year 2013 Energy and Water Development Appropriations Bill.

I yield to the gentleman from Indiana.

Mr. VISCLOSKY. I thank the gentlelady from California for bringing this important matter to our attention.

The committee has heard from a number of our colleagues on the Corps' vegetation-on-levees policy. While we commend the Corps for its continued efforts to improve its policies and thereby improve public safety for everyone, we also understand and appreciate that occasionally new policies have unintended consequences. As we move forward with this bill, we intend to have further discussion on this subject.

I commend, again, the gentlewoman from California for her leadership on this issue.

Mr. FRELINGHUYSEN. Mr. Chairman, I, too, commend the gentlewoman's efforts to bring this matter to our attention. She has described well the sometimes conflicting concerns regarding vegetation and levees. I look forward to continuing to work with her and our other colleagues interested in this issue to ensure that the Corps gives serious consideration to their concerns and perhaps conducts additional research if it is deemed advisable prior to finalizing its levee vegetation policy.

Ms. MATSUI. I thank the chairman and the subcommittee ranking member.

Mr. VISCLOSKY. It is my privilege to yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Chairman, I would like to give special thanks to Mr. VISCLOSKY and his staff, as well as Congressman DICKS and his staff, for their tremendous support for fusion energy in this bill.

I would like to enter into a colloquy with the distinguished chairman of the Energy and Water Development Subcommittee.

Mr. Chairman, since the need for a national ignition facility was first established in the 1990s, the project had a mandate of supporting nuclear weapons science expertise required for stewardship of our Nation's stockpile and the development of fusion power.

Basic science research has always been a central mission of NIF. In the 1997 Facility Use Plan for NIF, the Statement of Mission projected that the uses of the facility fall into five major areas: one, ignition physics; two, weapons physics; three, weapons effects; four, inertial fusion energy; and, five, basic science and technology.

□ 2040

I want to affirm with you that the mission of NIF has not changed and that inertial fusion energy and basic science research, as well as stockpile stewardship, will continue to be vigorously pursued at NIF.

Mr. FRELINGHUYSEN. Mr. Chairman, I want to thank the gentlewoman for her concern about sustaining the mission of science, fusion energy, research, and other activities at the National Ignition Facility. I know she's a strong advocate for science, and I commend her for her attention and support.

While this facility's primary purpose is to support sustainment of our nuclear weapons stockpile, it was also envisioned to be a user facility. Basic science and fusion energy will always remain an important part of the NIF's mission.

I thank her for her advocacy and work on behalf of the NIF.

Ms. ZOE LOFGREN of California. Thank you, Mr. Chairman, for that reassurance. And thank you, Mr. VISCLOSKY.

Mr. VISCLOSKY. Mr. Chairman, I want to add my remarks, along with the chairman, to thank the gentlewoman for her vision of our energy future, for her doggedness, and for her commitment to basic scientific research in this country, as well as the issue of fusion.

Too often people lose sight that we have to be consistent, we have to be persistent and dogged, and some day we are going to achieve success and primarily because of the gentlelady from California. I appreciate her remarks very much.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. I continue to reserve the balance of my time, Mr. Chairman.

Mr. VISCLOSKY. I yield such time as he may consume to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding, and I rise for the purpose of entering into a colloquy.

I also want to thank the chairman and his staff, the ranking member and his staff for the help that they've provided on this very important issue.

Mr. Chairman, and Members, the Bureau of Reclamation manages Lake Berryessa in my district. They manage it for the purposes of recreational access, and they ensure that the facilities are safe and accessible to local residents and visitors. As part of this, they award concessions to third-party bidders for resort operations.

Since the Bureau of Reclamation began the most recent bidding process in 2007, their performance has been disappointing, at best. The concession contract was finally awarded in January 2010, and the third-party contractor has not met the terms of that agreement.

The BOR is the responsible agency for concession bidding, and they conducted an inefficient process, provided lax oversight, and refused to take action in a timely manner, despite constant requests from me and local government officials. Now, BOR is entering into mediation, which means even more time to dispute the concessionaire's shortcomings and provide yet another second chance.

Mr. Chairman and Members, enough is enough. Reassurances and placations from the Board of Reclamation that they're fixing the problem are no longer enough. We need the matter resolved. The residents of Lake Berryessa and the tourists who visit the area deserve to have this situation fixed.

Recreational access to the lake has been restricted, tourism is down, and the local economy has taken a hit. The summer season officially began last weekend, and there's no solution in sight to these problems.

I expect the Bureau of Reclamation to take immediate action to right these wrongs and take steps to prevent a similar nightmare from happening in my district or any of your districts.

I trust that the chairman and the ranking member share my concerns of the mismanagement of Lake Berryessa by the Bureau of Reclamation and ask that you, Mr. Chairman, and the ranking member work with me to find a way to correct BOR's previous errors and amend the concession bidding process to ensure this doesn't happen again.

Mr. FRELINGHUYSEN. Mr. Chairman, I want to thank the gentleman, Mr. THOMPSON, for bringing this issue to our committee's attention. We take seriously our obligation of ensuring that Reclamation is efficiently using its appropriated funds to maximize the taxpayer return on investment, and I would be happy to work with the gentleman to continue congressional oversight of the actions at Lake Berryessa specifically.

Mr. VISCLOSKY. Mr. Chairman, I would also be happy to work with the gentleman from California to ensure that Reclamation is executing its mission in the best interests of the taxpayer. I expect the Bureau of Reclamation to take immediate actions to right these wrongs and to take steps to prevent a similar situation in the future.

Mr. THOMPSON of California. Mr. Chairman, I thank the chairman and the ranking member for their commitment to work with me on this. It's a serious problem. It's hurting people in my district and the surrounding area. I want it stopped, and I don't want to see any of you have to suffer through this process again.

Mr. VISCLOSKY. Mr. Chairman, I would only add that I hope to avoid any further confusion in addressing this issue. And I do appreciate the gentleman's very serious concern here.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I want to thank the chairman of the subcommittee and the chairman of the full committee for working with me to try to rectify a problem with the Harbor Maintenance Trust Fund and the big-time shortfall we've got in dredging funds going forward.

Our top 60 ports in the country are not being dredged to their authorized specifications, and this is hurting commerce. It's inhibiting our ability to export. It's creating all kinds of problems. It's a jobs bill if we can get these ports and waterways dredged adequately.

It's at a crisis level. For instance, the Lower Mississippi River, for every foot of draft we lose, it's $1 million per ship per day lost in economic activity.

Now, the Harbor Maintenance Tax generates $1.3 to $1.6 billion a year, but little over half of it's being used for the appropriate purpose. The rest is being funneled off into other accounts. This is not fair to those who pay this tax, which, in effect, is a user fee. It was designed as a user fee.

And so I hope that the chairmen of the subcommittee and full committee will continue to work with me to correct this inequity. This is not right, and it's hurting American competitiveness. We can do better than this.

This tax is a tax that was created as a user fee. It's ad valorem tax on the owners of the goods based on the value of the goods. This is supposed to be used for operations and maintenance dredging. And as the chairman of the Oversight Subcommittee on Ways and Means, where we have oversight on the tax revenues, I have a problem with the misuse of these funds. It's hurting American competitiveness.

We can do better, and I hope that the chairman of the subcommittee and the chairman of the full committee will continue to work with me to solve this problem. We can solve it without adding a single dime to the deficit. It will help create jobs. We've got numerous studies to show the job impact, the commercial impact, the impact on trade.

It is imperative that we move forward on things that we can fix, and it really is disappointing to me that we've not done better.

Mr. VISCLOSKY. Mr. Chair, if I could ask how much time each side has, please, remaining in general debate?

The CHAIR. The gentleman from Indiana has 10 minutes remaining, and the gentleman from New Jersey has 16 minutes remaining.

Mr. VISCLOSKY. I continue to reserve the balance of my time, Mr. Chair.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HARRIS).

Mr. HARRIS. Mr. Chairman, I rise with my colleague from New Jersey to discuss the funding provided to the Department of Energy for unconventional fossil energy research and development.

I first want to commend Mr. FRELINGHUYSEN, the chairman of the subcommittee, for his strong support of the unconventional fossil energy research at the Department of Energy. As the committee report notes, the United States' oil shale reserves are estimated to exceed 2 trillion barrels of oil, more than five times the proven oil reserves held by Saudi Arabia. However, additional research is necessary to enable economic and environmentally safe production from this incredibly plentiful domestic resource.

In order to accelerate the safe and effective development of the Nation's oil shale reserves, this legislation provides $25 million for oil shale technology research and development activities.

□ 2050

As chairman of the Science, Space, and Technology Subcommittee on Energy and Environment, I recently chaired a hearing to examine the challenges and opportunities associated with expanding the development and use of unconventional oil and gas production technologies. The subcommittee received testimony from expert witnesses about the need for targeted government research to address specific issues associated with developing these unconventional oil resources.

These research areas include but are not limited to: oil shale resource characterization, the minimization and reuse of process water, the use of high-end computing applied to the physics and chemistry of oil shale production, the modeling and simulation of oil shale exploration and production technologies, and surface and groundwater protection.

It is my hope that the funding provided in this bill will address these and other key science and technology areas that are critical to enabling oil shale production and will be used to advance the environmentally sound and efficient production of our resources rather than a regulatory agenda aimed at restricting such production or limiting access to oil shale reserves located on Federal lands.

I would now like to yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman from Maryland for yielding and for the additional and very valuable extra background information regarding his subcommittee's very important and critical work on shale oil.

As the gentleman noted, our bill's all-of-the-above energy strategy to address high gasoline prices includes $25 million for research to reduce barriers to the safe environmental and economic development of the United States' vast, untapped oil shale resources.

I strongly agree with the gentleman that this funding is intended for investments in technology and scientific research, not regulatory action, which can ultimately enable economic and environmentally responsible shale oil production. The gentleman has identified some very important, specific research areas in his remarks, and we will continue to consider these and other lines of work as we look to further shape the program. I look forward to continued discussion with my colleague as we move forward in that process, and I thank him for his work on this very critical issue.

Mr. VISCLOSKY. My understanding, Mr. Chairman, is that we have one more speaker on this side and that the other side does not have any more speakers.

With that, I yield 4 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I congratulate my colleague from New Jersey and you, Mr. VISCLOSKY, for your very diligent and focused work on this bill. I know it was difficult.

Mr. Chairman, we thank these Members for their leadership.

Today, the people of the United States sent about $1 billion overseas to countries from whom we bought imported oil. This is $1 billion that could have been spent to employ American construction workers, to give more activities to American research scientists, to reward the investment of American entrepreneurs, and to create domestic energy and American jobs here in the United States.

One of the most effective ways to create a nearly $200 billion annual stimulus program paid for entirely by private sector dollars and not by government would be to dramatically reduce the amount of oil we import into our country. This is an issue on which I think there is strong agreement. We obviously part company on exactly how to do that, and I think this bill illustrates three of the ways in which there is some disagreement.

Let me begin by thanking the chairman and the ranking member for what I view as a very wise decision to make a funding investment in nuclear waste disposal at the Yucca Mountain facility. This is a very controversial issue, particularly in the other body, but I think that clean and well-managed nuclear energy is a key part of this country's economic future. Sadly, there has been a backpedaling from years of research and investment in the Yucca Mountain facility.

I think that the geological evidence is compelling, and I think that the national security arguments are compelling. I think that the best way for us to dispose of nuclear waste at one site is as isolated from any population center and geologically insulated from any water table that would be nearby. I think that the Yucca Mountain site has been proven to be the right move. I think for unfortunate political situations we've not invested in that.

I commend the chairman and the ranking member for reversing that decision to the extent possible in this bill and for moving forward with the further exploration of that option.

One of the areas of the bill in which I would agree with Mr. VISCLOSKY is somewhat disappointing is its relatively meager investment in alternative renewable energy. Now, I do think, as the President has said and as our Speaker has said, that an all-of-the-above energy independence policy is the right choice for our country. So we must understand that investing in wind or solar or geothermal or hydrogen is not meant to be completely in lieu of more traditional fuels. It's meant to be a supplement and a transition.

I think that the transition here is insufficient for the possibility of powering our country through wind and the growing solar industry. Our State of New Jersey is actually number two in solar energy in the country, which is, I think, a tribute to our innovation given our relative climatological disadvantage relative to other States. There is promising research in hydrogen and other areas. I think that we are being, frankly, somewhat shortsighted and penny-wise and pound-foolish by not making a more robust investment in these areas of alternative energy in this bill, which leads me to my third point.

I understand the justification, not by the subcommittee chairman or the ranking member, but by the budget resolution that was passed. The justification for what I view as an unduly meager investment in alternative energy is because of the budget allocations adopted by the House several weeks ago.

The CHAIR. The time of the gentleman has expired.

Mr. VISCLOSKY. I yield the gentleman an additional minute.

Mr. ANDREWS. I thank the gentleman.

That budget allocation was short of the agreement that the majority and minority in the House and Senate struck last year on August 1. We've adhered to that agreement in so many other ways. I think the right thing to do is what the other body is likely to do, which is to fund these appropriations bills at levels consistent with that August 1 agreement.

I believe, Mr. Chairman, that we will and should be back in this Chamber at some point this year enacting final legislation that is consistent with that August 1 agreement. That meager increase, that small increase in allocations, would, in my view, go a long way toward funding the wind and solar and hydrogen and other alternative energies that we should be seeking.

Let's continue to try to work together as the authors of this bill have. Let's try to truly have an energy independence policy where, instead of sending $1 billion a day to the Middle East, we are investing $1 billion a day of private sector money in manufacturing, innovation, and economic growth here in the United States. This bill, I think, makes an important step in that direction.

I commend the authors, but look forward to even a better result later in the year when the bill comes back from the other body.

Mr. VISCLOSKY. I appreciate the gentleman's remarks. I would note that we have no further requests for time and would conclude by simply, again, thanking the chair, all of the subcommittee members and staff for their very good work that has brought us to this point.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Let me associate my remarks with the ranking member's. We thank all of those who have come forward. We look forward to a vigorous couple of days ahead as we consider the rest of the energy and water bill. I thank the gentleman and all those who have participated.

I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

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

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEST) having assumed the chair, Mr. WOODALL, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5325) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

## MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

The SPEAKER pro tempore. Pursuant to House Resolution 667 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5854.

Will the gentleman from Georgia (Mr. WOODALL) kindly resume the chair.

□ 2102

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, with Mr. WOODALL (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Florida (Mr. STEARNS) had been disposed of and the bill had been read through page 66, line 10.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. GRIMM of New York.

Amendment No. 8 by Mr. FRANKS of Arizona.

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

AMENDMENT OFFERED BY MR. GRIMM

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 198, not voting 15, as follows:

[Roll No. 302]

AYES—218

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

NOES—198

Adams
Aderholt
Akin
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Palazzo
Paul
Paulsen
Pearce
Pence
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

NOT VOTING—15

Burton (IN)
Clay
Doyle
Ellison
Fortenberry
Guinta
Hurt
Lewis (CA)
Mack
McCarthy (CA)
Olson
Slaughter
Stutzman
Velázquez
Young (FL)

□ 2126

Messrs. KINGSTON, MILLER of Florida, and RIVERA changed their vote from ''aye'' to ''no.''

Messrs. GEORGE MILLER of California, CARDOZA, Ms. WASSERMAN SCHULTZ, Messrs. PRICE of North Carolina, McINTYRE, and RENACCI changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. FRANKS OF ARIZONA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 180, noes 237, not voting 14, as follows:

[Roll No. 303]

AYES—180

Adams
Aderholt
Akin
Amash
Amodei
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kline
Labrador
Lamborn
Landry
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCaul
McClintock
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Renacci
Ribble
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ross (FL)
Royce
Scalise
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tipton
Turner (NY)
Walberg
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

NOES—237

Ackerman
Alexander
Altmire
Andrews
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bono Mack
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Duffy
Edwards
Emerson
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)

Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Hultgren
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kinzinger (IL)
Kissell
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
Meehan
Meeks
Michaud
Miller (MI)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Richmond
Rivera
Roe (TN)
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Shuster
Sires
Smith (NJ)
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner (OH)
Upton
Van Hollen
Visclosky
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—14

Burton (IN)
Clay
Doyle
Ellison
Fortenberry
Guinta
Hurt
Lewis (CA)
Mack
McCarthy (CA)
Slaughter
Stutzman
Velázquez
Young (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

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

□ 2131

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WEBSTER). The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2013''.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS of New Hampshire) having assumed the chair, Mr. WEBSTER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5854) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2013, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

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

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

MOTION TO RECOMMIT

Mr. BARROW. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. BARROW. I am opposed to the bill in its current form.

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

The Clerk read as follows:

Mr. Barrow moves to recommit the bill H.R. 5854 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

Page 11, line 17, insert after the dollar amount the following: ''(reduced by $56,652,000)''.

Page 31, line 5, insert after the dollar amount the following: ''(increased by $28,326,000)''.

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

Mr. BARROW. Mr. Speaker, I rise to offer one final amendment to the Military Construction and Veterans Affairs and Related Agencies appropriations bill.

Three days ago on Memorial Day, I held town hall meetings at the American Legion posts in Augusta and Statesboro, Georgia. During these town hall meetings, veterans repeatedly expressed two of their most pressing concerns for our country.

First, they're concerned that our increasing debt puts America on a path toward a fiscal crisis that threatens our national defense and the promises we've made to veterans and seniors.

Second, they're concerned that the men and women returning home today, after fighting for our freedoms, are not receiving the proper medical care for the injuries they face, like traumatic brain injury, post-traumatic stress disorder, and loss of limb.

After my town hall meeting in Augusta, a Vietnam veteran came up to me and described how he had suffered from an undiagnosed case of PTSD until just a few years ago, and that his life had been a struggle for a long time as a result.

This gentleman's candor reminds us of what we already know. In too many cases, we fell short in providing Vietnam veterans the care and dignity they deserved after giving the best years of their lives to our service. We cannot make the same mistakes today we made then.

My amendment will do two things to try to be responsive to the veterans I represent. It takes $56 million of preexisting surplus money from the BRAC closure account and applies half, just $28 million, to veterans' medical and prosthetic research, and the other half to deficit reduction.

This figure doesn't come out of thin air. That's the unanimous recommendation of the VFW, the Paralyzed Veterans of American, the Disabled Veterans of America, and AMVETS—in their annual independent budget recommendations—as the additional amount necessary to provide for appropriate program growth and to cover anticipated inflation. This money will go directly to research and treatments unique to the 21st century combat our soldiers face overseas today.

Again, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended. For all these reasons, I encourage my colleagues to support this motion, and I yield back the balance of my time.

□ 2140

Mr. CULBERSON. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. CULBERSON. Mr. Speaker, this is not an amendment to the bill. This is a procedural stunt, a motion to recommit that the public and the Members should not be confused about. This is a last-minute, a very sad, I think, and shallow and disappointing political stunt that the Members of the minority—this bill, more than any other—Mr. Speaker, the House is not in order.

The SPEAKER pro tempore. The gentleman is correct. The House will be in order.

Mr. CULBERSON. Mr. Speaker, our subcommittee, SANFORD BISHOP, your colleague from Georgia, our entire subcommittee has worked arm in arm since early this year, held numerous hearings, sought testimony from every organization, from the Veterans Administration—from any veterans organization. We have all worked arm in arm in producing a piece of legislation tonight that fully funds every need of every veteran and every active-duty military member of the United States anywhere in the world. We've funded every request. We've met every need. We've left no gap unfilled. In fact, not only during the committee process, but also tonight. We've been on the floor from 4:30 until 8 o'clock. Anyone could have come to the floor and offered an amendment. Frankly, you could have

walked down and drafted it right here on a yellow notepad and given it to the Clerk and offered an amendment at any time.

So this is not an amendment. This is a procedural stunt. It's disappointing and disheartening to see it offered at the last minute when we, on this subcommittee, more than any other subcommittee, have worked arm in arm in an absolutely bipartisan way in support of our troops.

It is important for the Members to know that our committee has fully funded the request of the Veterans Administration. We've given them everything that they needed, that they asked for—$583 million for medical and prosthetic research. We've increased funding for the VA by $2.3 billion to make sure that the needs of our veterans are met. We have increased Veterans Administration research by almost $1.9 billion. And we have, throughout this entire appropriations season, been open to any Member at any time to bring us any good idea on any subject that would help our veterans.

So this is not an amendment. This is a procedural motion that has nothing to do with the merits of the bill. In fact, I want to stress to my colleagues that during conference, if the Veterans Administration, if anyone can demonstrate to Mr. BISHOP and me and to the subcommittee that there is a valid need, a demonstrable need that the VA comes to us and says, Yes, we need additional money for more research, of course we'll find room for it.

There is no gap between any of us on this House floor when it comes to supporting the needs of our men and women in uniform. We on this committee, more than any other, have worked together in a bipartisan fashion.

I urge the Members to reject this last-minute procedural motion to recommit. We will work together in conference if there is truly any additional need for funding, but Members, we have left no gap unfilled when it comes to our men and women in uniform, and I urge the Members to vote ''no.''

PARLIAMENTARY INQUIRY

Mr. ACKERMAN. Parliamentary inquiry, Mr. Chairman.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. ACKERMAN. My inquiry is: Is there a motion before the House or is there a stunt before the House?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. ACKERMAN. Is there a motion before the House, Mr. Speaker? And could you state it if there is.

Mr. Speaker, parliamentary inquiry. What is before the House?

The SPEAKER pro tempore. Does the gentleman from New York have a parliamentary inquiry?

Mr. ACKERMAN. Yes, Mr. Speaker. What is before the House?

The SPEAKER pro tempore. The House is considering a motion to recommit.

Mr. ACKERMAN. A motion to recommit. Did the Speaker say a motion? Thank you, Mr. Speaker.

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

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 188, noes 230, not voting 13, as follows:

[Roll No. 304]

AYES—188

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

NOES—230

Adams
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
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
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
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—13

Aderholt
Burton (IN)
Clay
Doyle
Ellison
Fortenberry
Guinta
Lewis (CA)
Mack
McCarthy (CA)
Slaughter
Velázquez
Young (FL)

□ 2159

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 12, not voting 12, as follows:

[Roll No. 305]

YEAS—407

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
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 (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
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
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
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
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—12

Amash
Campbell
Capuano
Duncan (TN)
Filner
Flake
Kucinich
Lummis
Paul
Sensenbrenner
Stark
Wolf

NOT VOTING—12

Burton (IN)
Clay
Doyle
Ellison
Fortenberry
Guinta
Lewis (CA)
Mack
McCarthy (CA)
Slaughter
Velázquez
Young (FL)

□ 2205

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GUINTA (at the request of Mr. CANTOR) for May 30 and the balance of the week on account of personal reasons.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of a death in the family.

Ms. VELÁZQUEZ (at the request of Ms. PELOSI) for today and June 1 on account of family illness.

## ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2947. An act to provide for the release of the reversionary interest held by the United States in certain land conveyed by the United States in 1950 for the establishment of an airport in Cook County, Minnesota.

H.R. 3992. An act to allow otherwise eligible Israeli nationals to receive E–2 nonimmigrant visas if similarly situated United States nationals are eligible for similar nonimmigrant status in Israel.

H.R. 4097. An act to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts, and for other purposes.

## BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on May 21, 2012, she presented to the President of the United States, for his approval, the following bill.

H.R. 2072. To reauthorize the Export-Import Bank of the United States, and for other purposes

Karen L. Haas, Clerk of the House, reported that on May 29, 2012, she presented to the President of the United States, for his approval, the following bills.

H.R. 4849. To direct the Secretary of the Interior to issue commercial use authorizations to commercial stock operators for operations in designated wilderness within the Sequoia and Kings Canyon National Parks, and for other purposes

H.R. 2415. To designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building''.

H.R. 3220. To designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office''.

H.R. 3413. To designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office''.

H.R. 4119. To reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

## ADJOURNMENT

Mr. CAMPBELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Friday, June 1, 2012, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6216. A letter from the Secretary, Navy, Department of Defense, transmitting notification that increases in both the Program Acquisition Unit Cost (PAUC) and the Procurement Unit Cost (PUC) for the AIM-9X program has exceeded the baseline estimate by at least 50 percent, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

6217. A letter from the Secretary, Department of Defense, transmitting the Department's report on the amount of purchases

from foreign entities in Fiscal Year 2011, pursuant to Public Law 104-201, section 827 (110 Stat. 2611); to the Committee on Armed Services.

6218. A letter from the Under Secretary, Department of Defense, transmitting the Department's quarterly report entitled, ''Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account'', for the period ending March 31, 2012; to the Committee on Armed Services.

6219. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of 5 officers to wear the authorized insignia of the grade of major general; to the Committee on Armed Services.

6220. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6221. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2012-0003] received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6222. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's report that no exceptions to the prohibition against favored treatment of a government securities broker or government securities dealer were granted by the Secretary during the period January 1, 2011, through December 31, 2011; to the Committee on Financial Services.

6223. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting notice of 41 competitive and non-competitive bidding violations; to the Committee on Financial Services.

6224. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting during the period of January 1, 2011 through December 31, 2011, there were no significant modifications to the auction process; to the Committee on Financial Services.

6225. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6226. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Requirements for Fingerprint-Based Criminal History Records Checks for Individuals Seeking Unescorted Access to Non-power Reactors (Research or Test Reactors) [NRC-2008-0619] (RIN: 3150-AI25) received May 15, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6227. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Secretary's determination that six countries are not cooperating fully with U.S. antiterrorism efforts: Cuba, Eritrea, Iran, North Korea (DPRK), Syria, and Venezuela; to the Committee on Foreign Affairs.

6228. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the fifteenth quarterly report on the Afghanistan reconstruction; to the Committee on Foreign Affairs.

6229. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the System's Semiannual Report to Congress for the six-month period ending March 31, 2012, as required by the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

6230. A letter from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting the Department's Fiscal Year 2011 Annual Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2002 Report; to the Committee on Oversight and Government Reform.

6231. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the semiannual report on the activities of the Office of Inspector General of the Farm Credit Administration for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6232. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 110210132-1275-02] (RIN: 0648-XB116) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6233. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC001) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6234. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 111220786-1781-01] (RIN: 0648-XC002) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6235. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Shrimp Fisheries of the Gulf of Mexico and South Atlantic; Revisions of Bycatch Reduction Device Testing Protocols [Docket No.: 111104664-2106-02] (RIN: 0648-BB61) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6236. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2012 Atlantic Bluefish Specifications [Docket No.: 120201086-2418-02] (RIN: 0648-XA904) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6237. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XB176) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6238. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 100804324-1265-02] (RIN: 0648-BC02) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6239. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XB119) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6240. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2012 Management Measures [Docket No.: 120424023-1023-01] (RIN: 0648-XA921) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6241. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Lowcountry Splash Open Water Swim, Wando River and Cooper River, Mount Pleasant, SC [Docket No.: USCG-2012-0252] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6242. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; TriMet Bridge Project, Willamette River, Portland, OR [Docket No.: USCG-2011-1173] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6243. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Galveston Bay, Kemah, TX [Docket No.: USCG-2012-0170] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6244. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Magothy River, Sillery Bay, MD [Docket No.: USCG-2012-0001] (RIN: 1625-AA00) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6245. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Potomac River, Charles County, MD [Docket No.: USCG-2011-1176] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6246. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Tuscaloosa Dragon Boat Race; Black Warrior River; Tuscaloosa, AL [Docket No.: USCG-2012-0218] (RIN: 1625-AA08) received May 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6247. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final

rule — Technical Revisions to Update Reference to the Required Assessment Tool for State Nursing Homes Receiving Per Diem Payments from VA (RIN: 2900-AO02) received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6248. A letter from the Special Inspector General For Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) April 2012 Quarterly Report; jointly to the Committees on Foreign Affairs and Appropriations.

6249. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2011''; jointly to the Committees on Ways and Means and Energy and Commerce.

## 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. HASTINGS of Washington: Committee on Natural Resources. H.R. 4027. A bill to clarify authority granted under the Act entitled ''An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes'' (Rept. 112–509). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTING of Washington: Committee on Natural Resources. H.R. 4222. A bill to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, and for other purposes; with an amendment (Rept. 112–510). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BASS of California (for herself, Mr. MARINO, Mrs. BACHMANN, Mr. MCDERMOTT, Mr. HASTINGS of Florida, Ms. CLARKE of New York, Mr. STARK, Mr. CICILLINE, and Mr. LANGEVIN):

H.R. 5871. A bill to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act; to the Committee on Education and the Workforce.

By Mr. HENSARLING (for himself, Mr. RYAN of Wisconsin, Mr. CHAFFETZ, Mr. SMITH of Texas, Mr. YOUNG of Indiana, Mr. CRAVAACK, Mr. HUIZENGA of Michigan, Mr. RIGELL, Mrs. BLACK, Mr. AKIN, Mr. QUAYLE, Mr. PRICE of Georgia, Mr. MILLER of Florida, Mr. COLE, Mr. WALSH of Illinois, Mr. CALVERT, Mrs. ADAMS, Mr. LANKFORD, Mr. MCKEON, Mr. FARENTHOLD, Mr. WEST, Mr. ROSS of Florida, Mr. KING of Iowa, Mr. LOBIONDO, Mr. TURNER of Ohio, Mr. THORNBERRY, Mr. OLSON, Mr. CANSECO, Mr. LATTA, Mrs. HARTZLER, Mrs. MYRICK, Mr. BRADY of Texas, Mr. ROKITA, Mr. CASSIDY, Mr. CONAWAY, Mr. RIBBLE, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. BROOKS, and Mr. GRIFFIN of Arkansas):

H.R. 5872. A bill to require the President to provide a report detailing the sequester required by the Budget Control Act of 2011 on January 2, 2013; to the Committee on the Budget.

By Mr. THOMPSON of Pennsylvania (for himself, Mr. SCHRADER, Mr. MCINTYRE, Mr. GOODLATTE, Mr. MICHAUD, Mr. OWENS, Mr. FLEMING, Mr. GRAVES of Georgia, Mr. RIBBLE, Mr. BONNER, Mr. JONES, Mr. DUFFY, Ms. KAPTUR, Mr. TIPTON, Mr. WELCH, Mr. WOMACK, Mr. NUNNELEE, Mr. KISSELL, Mr. ROSS of Arkansas, Mr. SOUTHERLAND, Ms. PINGREE of Maine, Mr. BENISHEK, Mrs. EMERSON, Ms. SEWELL, Mrs. LUMMIS, Mr. BISHOP of Georgia, and Mrs. ELLMERS):

H.R. 5873. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''; to the Committee on Agriculture.

By Mr. POLIS:

H.R. 5874. A bill to facilitate foreign investment by permanently reauthorizing the EB-5 regional center program, and for other purposes; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H.R. 5875. A bill to establish a visa waiver program for the United States Virgin Islands; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois (for himself and Ms. BASS of California):

H.R. 5876. A bill to amend the Elementary and Secondary Education Act of 1965 to provide educational stability for children in foster care, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY:

H.R. 5877. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Education and the Workforce.

By Mrs. LOWEY:

H.R. 5878. A bill to amend the Internal Revenue Code of 1986 to expand deductions allowed for education-related expenses and to extend the American Opportunity Tax Credit; to the Committee on Ways and Means.

By Mrs. NOEM (for herself and Mr. WALZ of Minnesota):

H.R. 5879. A bill to amend the Federal Crop Insurance Act to modify the ineligibility requirements for producers that produce an annual crop on native sod, and for other purposes; to the Committee on Agriculture.

By Mr. RUNYAN:

H.R. 5880. A bill to extend the authority of the Secretary of Veterans Affairs to enter into contracts with private physicians to conduct medical disability examinations; to the Committee on Veterans' Affairs.

By Mr. RUNYAN (for himself and Mr. WALZ of Minnesota):

H.R. 5881. A bill to amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of local governmental agencies with access to case-tracking information of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CASSIDY:

H. Res. 671. A resolution expressing the sense of the House of Representatives concerning the need for a comprehensive public alert and warning system for the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MORAN:

H. Res. 672. A resolution expressing the sense of the House of Representatives that the energy, environmental, and foreign policies of the United States should reflect appropriate understanding and sensitivity concerning issues related to climate change, as documented by credible scientific findings and as evidenced by the extreme weather events of recent years; to the Committee on Energy and Commerce.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

230. The SPEAKER presented a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 55 memorializing the Congress to support the 259th Air Traffic Control Squadron Louisiana National Guard; to the Committee on Armed Services.

231. Also, a memorial of the Senate of the Commonwealth of Puerto Rico, relative to Senate Resolution No. 2641 requesting the Congress and the Board of Governors of the Federal Reserve to review and amend the Expedited Funds Availability Act; to the Committee on Financial Services.

232. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2007 urging the Congress to send a balanced budget amendment to the Constitution to the States for ratification; to the Committee on the Judiciary.

233. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 12-1006 recognizing the bravery and sacrifice of the crew of the U.S.S. Pueblo; jointly to the Committees on Armed Services and Foreign Affairs.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. BASS of California:

H.R. 5871.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. HENSARLING:

H.R. 5872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7. Which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. THOMPSON of Pennsylvania:

H.R. 5873.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power ''to regulate Commerce with foreign Nations, and among the

several states, and within the Indian Tribes.''

By Mr. POLIS:

H.R. 5874.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mrs. CHRISTENSEN:

H.R. 5875.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grant Congress the authority to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.''

By Mr. DAVIS of Illinois:

H.R. 5876.

Congress has the power to enact this legislation pursuant to the following:

To the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. LOWEY:

H.R. 5877.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the Constitution

By Mrs. LOWEY:

H.R. 5878.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the Constitution

By Mrs. NOEM:

H.R. 5879.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. RUNYAN:

H.R. 5880.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RUNYAN:

H.R. 5881.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 436: Mr. GRIFFITH of Virginia.
H.R. 507: Mr. GRIMM.
H.R. 529: Mr. MATHESON.
H.R. 777: Ms. HIRONO.
H.R. 904: Mrs. ADAMS.
H.R. 942: Ms. GRANGER, Mr. JOHNSON of Ohio, Mr. NUNNELEE, Mr. KINZINGER of Illinois, and Mr. WITTMAN.
H.R. 973: Ms. JENKINS.
H.R. 1054: Ms. NORTON.
H.R. 1084: Mr. WELCH.
H.R. 1145: Mr. CASSIDY.
H.R. 1190: Mr. CHANDLER.
H.R. 1219: Mrs. CAPPS.
H.R. 1331: Mr. REED.
H.R. 1370: Mr. BRADY of Texas, Mr. MACK, and Mr. YOUNG of Indiana.
H.R. 1394: Mr. MATHESON, Mr. RUPPERSBERGER, and Mr. BILBRAY.
H.R. 1428: Ms. SCHWARTZ.
H.R. 1479: Mr. CARSON of Indiana.
H.R. 1489: Mr. GENE GREEN of Texas.
H.R. 1519: Mr. DICKS, Mr. CUELLAR, Ms. BONAMICI, Mr. RUPPERSBERGER, Mr. DEUTCH, Mr. PIERLUISI, and Mr. BISHOP of Georgia.
H.R. 1546: Mr. GRAVES of Missouri.
H.R. 1616: Mr. ANDREWS.
H.R. 1648: Ms. BASS of California, Mr. LOEBSACK, Mr. GRIMM, and Mr. DEFAZIO.
H.R. 1675: Mr. KING of Iowa, Mr. POLIS, Mr. WILSON of South Carolina, Mr. BONNER, Mr. BOREN, Mr. PENCE, Mr. LAMBORN, and Mr. SIRES.
H.R. 1700: Mr. BROUN of Georgia.
H.R. 1781: Ms. ROYBAL-ALLARD.
H.R. 1802: Mr. MCKINLEY.
H.R. 1860: Mr. ROSKAM.
H.R. 1866: Mr. OLVER.
H.R. 1876: Ms. KAPTUR.
H.R. 1919: Mr. CONNOLLY of Virginia.
H.R. 1946: Mr. BISHOP of New York and Mr. PALAZZO.
H.R. 1956: Mrs. NOEM, Mr. ROHRABACHER, Mr. SMITH of Nebraska, Mr. ROSKAM, and Mr. CASSIDY.
H.R. 1994: Mr. CICILLINE.
H.R. 2052: Mr. KINGSTON.
H.R. 2077: Mr. ROHRABACHER.
H.R. 2086: Mr. CARSON of Indiana.
H.R. 2140: Mr. ROGERS of Kentucky.
H.R. 2198: Mr. KINZINGER of Illinois.
H.R. 2245: Mr. HECK and Mr. HIMES.
H.R. 2268: Mr. HUIZENGA of Michigan.
H.R. 2315: Mr. SIRES.
H.R. 2342: Mr. WATT.
H.R. 2353: Mr. CASSIDY.
H.R. 2364: Ms. DEGETTE.
H.R. 2492: Mr. WALSH of Illinois.
H.R. 2529: Mr. WALDEN.
H.R. 2557: Mr. TONKO and Mr. HURT.
H.R. 2564: Mr. OWENS.
H.R. 2595: Ms. ROYBAL-ALLARD, Mr. WALDEN, and Mr. JOHNSON of Georgia.
H.R. 2697: Ms. ESHOO.
H.R. 2721: Mr. POLIS.
H.R. 2746: Mr. MARKEY, Ms. LEE of California, Mr. FILNER, Mr. FARR, and Ms. MOORE.
H.R. 2900: Mr. REHBERG.
H.R. 2969: Mr. CRENSHAW, Mr. GRIJALVA, and Mr. CARSON of Indiana.
H.R. 3066: Mrs. BLACK.
H.R. 3098: Mr. WALSH of Illinois.
H.R. 3187: Mr. KINZINGER of Illinois, Mr. LUETKEMEYER, Mr. ROE of Tennessee, Mr. BOUSTANY, Mr. ROKITA, Mr. MCINTYRE, Mr. LARSEN of Washington, and Mr. GOSAR.
H.R. 3337: Mr. RUNYAN, Mr. DEFAZIO, Mr. GUTIERREZ, Mr. HULTGREN, Mr. MARINO, and Ms. NORTON.
H.R. 3353: Mr. BACA.
H.R. 3423: Mr. TONKO and Mr. KEATING.
H.R. 3489: Mr. HIMES and Mr. COURTNEY.
H.R. 3586: Mr. GOSAR.
H.R. 3609: Mr. PALAZZO.
H.R. 3612: Mr. ALEXANDER.
H.R. 3618: Mr. NADLER.
H.R. 3624: Mr. MCGOVERN.
H.R. 3665: Mr. MCGOVERN and Ms. NORTON.
H.R. 3668: Mr. BARROW.
H.R. 3729: Mr. WELCH.
H.R. 3761: Mr. POLIS.
H.R. 3769: Mr. BRADY of Pennsylvania.
H.R. 3790: Mr. LOEBSACK.
H.R. 3798: Mr. LANGEVIN.
H.R. 3839: Mr. HECK and Mr. FINCHER.
H.R. 3849: Mr. QUAYLE.
H.R. 3993: Mr. CAMP.
H.R. 4018: Mr. GIBSON and Mr. COLE.
H.R. 4055: Mr. RUSH, Mr. HINCHEY, Ms. HIRONO, Ms. CHU, Mr. COURTNEY and Ms. ESHOO.
H.R. 4057: Ms. BORDALLO.
H.R. 4070: Mr. POE of Texas.
H.R. 4096: Mr. MICHAUD.
H.R. 4115: Mr. PAULSEN, Mr. TURNER of Ohio and Mr. MURPHY of Pennsylvania.
H.R. 4122: Mr. UPTON, Mr. PETERS and Ms. PINGREE of Maine.
H.R. 4134: Mr. DAVIS of Illinois and Mr. YARMUTH.
H.R. 4160: Mr. POE of Texas.
H.R. 4165: Mr. CRENSHAW.
H.R. 4174: Mr. AUSTIN SCOTT of Georgia.
H.R. 4202: Mr. QUIGLEY, Mr. BRALEY of Iowa, Mr. WAXMAN, Mr. BOREN, Ms. PINGREE of Maine, Mr. MICHAUD and Mr. JOHNSON of Georgia.
H.R. 4232: Mr. CAMP.
H.R. 4235: Mr. CROWLEY, Mr. DIAZ-BALART, Ms. CASTOR of Florida, Ms. WASSERMAN SCHULTZ and Mr. HASTINGS of Florida.
H.R. 4238: Mrs. CAPPS.
H.R. 4256: Mr. SCHOCK and Mr. LOBIONDO.
H.R. 4259: Mr. WOLF.
H.R. 4287: Ms. SEWELL, Mr. POLIS, Mr. REYES and Mr. BENISHEK.
H.R. 4296: Mr. MARKEY and Mr. DINGELL.
H.R. 4306: Mr. ROTHMAN of New Jersey.
H.R. 4345: Mr. POMPEO.
H.R. 4362: Mr. CARNEY and Ms. NORTON.
H.R. 4367: Mr. SCHRADER, Mr. GOSAR, Mr. ROSS of Florida, Ms. PINGREE of Maine, Mr. BILBRAY, Mr. LEVIN, Mr. KILDEE and Mr. WOODALL.
H.R. 4454: Mr. CASSIDY.
H.R. 4965: Mr. KISSELL, Mr. MATHESON, Mrs. CAPITO, Mr. BERG and Mr. PEARCE.
H.R. 5044: Mr. GARY G. MILLER of California and Mr. GRIFFIN of Arkansas.
H.R. 5188: Mr. ELLISON and Mr. BACA.
H.R. 5331: Mr. FILNER.
H.R. 5381: Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. GOSAR and Mr. BUCSHON.
H.R. 5646: Mr. HALL, Mr. PAUL, Mr. SCALISE, Mr. SCHILLING, Mrs. BACHMANN, and Mr. PEARCE.
H.R. 5647: Ms. KAPTUR.
H.R. 5653: Mr. RANGEL.
H.R. 5684: Mr. HIMES.
H.R. 5717: Mr. SMITH of Nebraska.
H.R. 5719: Mr. NADLER, Ms. JACKSON LEE of Texas and Ms. BASS of California.
H.R. 5727: Mr. CONYERS and Ms. NORTON.
H.R. 5738: Mr. MCCOTTER and Mr. ROGERS of Michigan.
H.R. 5742: Mr. RUNYAN and Ms. NORTON.
H.R. 5842: Mr. WALDEN.
H.R. 5843: Mr. BILIRAKIS and Mr. MARINO.
H.R. 5848: Ms. NORTON.
H.R. 5850: Mr. FRANKS of Arizona and Mr. MCGOVERN.
H.R. 5859: Mr. KELLY.
H.R. 5864: Mr. ELLISON.
H.J. Res. 106: Mr. QUAYLE.
H. Con. Res. 101: Mr. FLEISCHMANN.
H. Con. Res. 114: Mr. CHAFFETZ.
H. Con. Res. 127: Mr. BASS of New Hampshire, Mr. LATTA, Mr. TERRY, Mr. STEARNS, Mrs. BLACKBURN, Mr. DINGELL, Ms. MATSUI, Mr. BILBRAY, Mr. SHIMKUS, Mr. MARKEY, Mr. ROGERS of Michigan, Mrs. CHRISTENSEN and Mr. KINZINGER of Illinois.
H. Res. 111: Mr. SCHILLING and Ms. SUTTON.
H. Res. 577: Mr. AUSTRIA.
H. Res. 618: Mr. GRIJALVA and Mr. KING of Iowa.
H. Res. 630: Mr. GRIMM, Mr. WILSON of South Carolina, Mr. WESTMORELAND, Mr. LAMBORN, Ms. BUERKLE, Mr. WEST and Mr. PEARCE.
H. Res. 646: Mr. POE of Texas.
H. Res. 662: Mr. BURTON of Indiana and Mr. NUNNELEE.
H. Res. 669: Mr. KISSELL and Mr. HUELSKAMP.

## 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 to H.R. 5743, the Intelligence Authorization Act for Fiscal Year 2013, by Representative MIKE ROGERS of Michigan or a designee does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

## PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

46. The SPEAKER presented a petition of State Lands Commission, California, relative to Resolution requesting that the federal government prohibit new offshore oil and gas leasing off the coast of California; to the Committee on Natural Resources.

47. Also, a petition of State Lands Commission, California, relative to Resolution opposing H.R. 1837; to the Committee on Natural Resources.

48. Also, a petition of State Lands Commission, California, relative to Resolution supporting H.R. 104; jointly to the Committees on Transportation and Infrastructure and Rules.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5325

OFFERED BY MR. GRAVES OF MISSOURI

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. _____. Of the funds appropriated in title I of this Act, not more than $50,000,000 may be used for the Missouri River Recovery Program.

H.R. 5325

OFFERED BY MR. MCCLINTOCK

AMENDMENT NO. 2:

Page 20, line 15, after the dollar amount, insert ''(reduced by $1,450,960,000)''.

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

H.R. 5325

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 3:

Page 22, line 3, after the dollar amount, insert ''(reduced by $514,391,000)''.

Page 56, line 24, after the dollar amount, insert ''(increased by $514,391,000)''.

H.R. 5325

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 4:

Page 22, line 23, after the dollar amount, insert ''(reduced by $554,000,000)''.

Page 56, line 24, after the dollar amount, insert ''(increased by $554,000,000)''.

H.R. 5325

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 5:

Page 22, line 23, after the dollar amount, insert ''(reduced by $554,000,000)''.

Page 22, line 24, after the dollar amount, insert ''(reduced by $115,753,000)''.

Page 56, line 24, after the dollar amount, insert ''(increased by $554,000,000)''.

H.R. 5325

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 6:

Page 20, line 15, after the dollar amount, insert ''(reduced by $1,450,960,000)''.

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

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

H.R. 5325

OFFERED BY MR. GARDNER

AMENDMENT NO. 7: Page 29, line 10, insert before the period at the end the following:

*Provided further*, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Energy to comply with the Department's energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7)).

H.R. 5325

OFFERED BY MR. KUCINICH

AMENDMENT NO. 8: At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available under this Act may be used to provide new loan guarantees under section 1703 of the Energy Policy Act of 2005.

H.R. 5854

OFFERED BY MR. SCHOCK

AMENDMENT NO. 9: Page 28, line 23, insert after the dollar amount the following: ''(reduced by $16,000,000) (increased by $16,000,000)''.

H.R. 5854

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles, for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.