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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. CAPITO).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 12, 2012.

I hereby appoint the Honorable SHELLEY MOORE CAPITO to act as Speaker pro tempore on this day.

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

PRAYER

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

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

As the Members of this people's House deliberate these days, give them the wisdom and magnanimity to lay aside what might divide us as a people to forge a secure future for our country.

We pray for all people who have special needs. May Your presence be known to those who are sick, that they might feel the power of Your healing spirit. Be with those who suffer persecution in so many places in our world, and bless our troops who are engaged in the easing of those sufferings. Give to all who are afraid or anxious or whose minds are clouded by uncertain futures the peace and confidence that come from trust in Your goodness and mercy.

Inspire the men and women who serve in this House to be their best selves, that they may in turn be an inspiration to the Nation and to the world.

May all that is done here this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. HULTGREN led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

MASSIVE DEFENSE CUTS

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

Mr. WITTMAN. Madam Speaker, I rise today to express concerns on behalf of my constituents. Paralysis, uncertainty—these are the effects of inaction, inaction on looming, massive defense cuts that will go into effect in January 2013.

In America's First District, many small businesses exist to support our military, to innovate and to build systems and resources—resources for our troops that save lives and help them do their job on the battlefield. But these businesses face an uncertain future as the question of looming defense cuts, or sequestration, remain unresolved. Do they stop production? Do they lay off workers?

This spring, I voted with the majority in this House to avoid these massive defense cuts while putting the Nation's budget on a path to balance. The Senate has failed to act. The President has threatened to veto.

Our military and those who support it—and the national security of this country—demand our attention and respect. Leaving this issue to the last minute is irresponsible. Now is the time for action.

WESTERN NEW YORKERS COMPETING IN THE OLYMPIC GAMES

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

Ms. HOCHUL. Madam Speaker, 2 weeks from tomorrow Olympic athletes from all over this world will parade into the stadium in London to officially launch the 2012 Olympics.

I am so proud to say that five of them will be western New Yorkers that we represent in upstate New York. These include archer Jake Kaminski from Elma; the current number one ranked women's pole vaulter, Jenn Suhr of Churchville; volleyball player Matt Anderson, born in Buffalo; swimmer Ryan Lochte, born in Rochester; and two time U.S. Soccer Female Athlete of the Year, Abby Wambach of Rochester.

Throughout their lifetimes of training, hard work, and sacrifices, these athletes embody what it means to be an American, and they carry with them to London the pride of western New York and the entire Nation.

As we wish them and the entire team good luck, my wish is that that sense of common purpose that joins all of us

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as Americans during that Olympic period will join us on this floor of Congress as we seek to form a more perfect Union.

FARM BILL

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

Mr. BERG. Madam Speaker, last night the House Agriculture Committee finished its work on the farm bill, late last night, and I applaud Chairman LUCAS and Ranking Member PETERSON for their work. I rise today to call for full consideration of the farm bill before the House.

Agriculture is the backbone of North Dakota, and North Dakota farmers and ranchers deserve the stability and certainty that a long-term reauthorized farm bill would provide.

With the farm bill passing through committee with bipartisan support, including strong crop insurance, now is the time for the full House to act on it. I urge my colleagues to join with me and work together to get this bipartisan farm bill passed.

HONORING PRISCILLA DEWEY HOUGHTON

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

Mr. BLUMENAUER. Madam Speaker, Priscilla Dewey Houghton, beloved wife of our dear colleague of 18 years, Amo Houghton, passed away last Friday.

She was a playwright, a linguist, a poet who, together with Amo, formed a special type of power couple. Priscilla was intelligent, curious, and gracious. She was the perfect partner for Amo.

While her efforts 40 years ago led her to introduce children and adolescents to joy and creativity in Massachusetts, here in D.C., with Amo, she fought against rancor and mean spiritedness in our Nation's capital.

Priscilla was the first honorary member of the Congressional Bike Caucus. Cycling was significant to her because of an early bout with polio that left her bedridden for a year. Priscilla was a very special woman whose battle with adversity never slowed her down or dimmed her spirits.

Our hearts go out to Amo and her family and friends gathering for her memorial service in Boston this Saturday.

LIFE SAFETY EDUCATOR OF THE YEAR: MARSHA GIESLER

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

Mrs. BIGGERT. Madam Speaker, today I rise to honor Marsha Giesler, an Illinois native and a recipient of the 2012 National Fire Protection Association's Fire and Life Safety Educator of the Year award.

Marsha serves as the Downers Grove Fire Department public information officer, and in that role she coordinates with emergency service personnel to provide Downers Grove residents with valuable, lifesaving information and safety-related materials. She is also assistant to the chief and a juvenile fire interventionist. To help others promote safety within their own communities, she published a 400-page reference book, ''Fire and Life Safety Educator,'' the most easily accessible reference book of its kind.

Madam Speaker, Marsha Giesler's more than 20 years of excellent public service have demonstrated her commitment to keeping our community safe, and I want to commend Marsha for her leadership, her dedication, and her hard work.

NEW YORK STATE'S I-STOP LAW

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

Mr. HIGGINS. Madam Speaker, yesterday New York State's Eric Schneiderman was in western New York to celebrate the passage of New York State's I-STOP law. This law uses online databases to connect doctors and pharmacists helping to combat the tragic prescription drug abuse epidemic.

I was pleased to join the effort by leading a bipartisan State delegation letter in support of this law. While there are many important players in the passage of this bill, I would like to especially congratulate Senator Tim Kennedy, Avi and Julie Israel for their efforts.

The passage of I-STOP raises awareness of the growing importance of integrating health information technology and electronic medical records into the field of health care.

Madam Speaker, I am hopeful that other States move to implement this and other electronic medical record technologies. This is a serious problem, and it is our responsibility to act swiftly.

□ 0910

GETTING SPECIFIC ON HEALTH CARE

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

Mr. HULTGREN. Madam Speaker, now that the health care law is out of the judicial process, it's back in the hands of the legislature. It's time to face the real consequences of this law.

This week, the Ways and Means Committee has started examining the tax effects. The Oversight Committee is looking at the impact on patients and doctors and on the economy. But in reality, we know what to expect. An average American family will see a $1,200 increase in health care premiums after this law is fully in effect. More than 1 million Americans are at risk of losing their plan because their plan was denied a waiver. The Congressional Budget Office has estimated that we will see 800,000 fewer jobs by 2012. The law contains 22 new tax increases. And 9 in 10 seniors with retiree benefits will lose their retiree prescription drug coverage through their employers.

It's time to get specific with the American people about what this law means for them.

PROTECTING THE STUDENT LOAN INTEREST RATE

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

Mr. COURTNEY. Last Friday, President Obama signed into law a bipartisan compromise which extended a lower student interest rate of 3.4 percent. Incredibly, the ink was barely dry on that measure when the Romney campaign introduced their higher education plan, which would take us back to wasteful taxpayer subsidies to private student loan lenders.

This is what the conservative Cato Institute said about that proposal:

> A meaningless change from a college affordability standpoint. Obviously, it would have an effect for banks, who would be happy to go back to that. It was a great gig for them.

A Romney supporter at the new New America Foundation said on this issue:

> On this issue, Romney is just ridiculous. His campaign staff doesn't have any new ideas. So they just said, Let's go back to what we were doing before the Obama administration.

For young Americans, the choice this fall is becoming clearer. We have a President who successfully challenged this Congress to protect the lower student loan interest rate, and his opponent, who is looking to take $60 billion in taxpayer funds and give it away to special interests.

THE PULSE OF TEXAS: AVA

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

Mr. POE of Texas. Madam Speaker, when I am back in southeast Texas, I hear from individuals and businesses who are concerned about how ObamaCare will affect them. Ava, a senior from Houston, tells me this:

> I am a senior who is very concerned that I will lose the great health care that I am presently receiving under Medicare. I am pleased with my doctors and with my health care plan. At the present, I can afford it, and I am concerned I will not be able to in the future if ObamaCare goes completely through and that I might not get the care I need for the health issues I already have.
>
> Seniors cannot afford ObamaCare, nor do they want it. Living on limited income today is hard enough without this new health care plan wanting more of my money. Seniors seem to be taking it on the chin tremendously on this issue.

Madam Speaker, Ava is right: ObamaCare is not good for seniors on Medicare. They will pay more for less care because of this expensive government takeover of America's health.

And that's just the way it is.

FOOD SHOULD BE OUT OF THE CONVERSATION

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

Mr. BUTTERFIELD. One of the most significant congressional accomplishments in 1965 was to create a program whereby American citizens could have the opportunity for nutritious foods. The SNAP program allows 46 million Americans to avoid being hungry. The benefits go to deserving individuals. Fifteen percent are elderly; 20 percent are disabled. The average gross monthly income for a food stamp household is $731. The average net income is $336.

Now we see an effort to roll back these benefits to these vulnerable populations. The Ryan House budget calls for $35 billion in cuts. The Lucas-Peterson plan marked up last night calls for $16 billion. That will result in 3 million Americans losing basic nutrition.

Madam Speaker, this proposal will hurt real people and literally take food off of their table. It's wrong, it's immoral, and it's irresponsible to take food away from deserving American citizens to balance a budget that is unbalanced because of reckless policies that have benefited the rich.

I urge my colleagues to develop a balanced approach to deficit reduction, to include cuts and new revenue. But food should be out of the conversation.

NATIONAL STRATEGIC AND CRITICAL MINERALS PRODUCTION ACT OF 2012

GENERAL LEAVE

Mr. HASTINGS of Washington. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 4402.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 726 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. 4402.

The Chair appoints the gentlewoman from West Virginia (Mrs. CAPITO) to preside over the Committee of the Whole.

□ 0915

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. 4402) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, with Mrs. CAPITO in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

Madam Chair, the United States of America is rarely last at anything. Unfortunately, that is not the case when it comes to permitting mining projects. In 2012, the U.S. was ranked dead last, along with Papua New Guinea, out of 25 major mining companies on the pace of mining permitting. Now I can't speak for Papua New Guinea, but the reason the U.S. is so slow to issue new mining permits is simple: government bureaucracy.

Burdensome red tape, duplicative reviews, frivolous lawsuits, and onerous regulations can hold up new mining projects for more than a decade. These unnecessary delays cost Americans jobs as we become more and more dependent on foreign countries for raw ingredients to fuel manufacturing and our economy. The lack of American-produced strategic and critical minerals are prime examples of how America has regulated itself into 100 percent dependence on at least 19 unique elements.

Rare Earth elements, a special subset of strategic and critical minerals, are often used as core components for the manufacturing of everything from national security systems to consumer electronics to medical equipment to renewable energy components and everyday household items. Even though America has a plentiful supply of rare Earth elements, our negative approach to producing these crucial materials has resulted in China producing 97 percent of the world's rare Earth elements. Just like the United States' dependence on foreign oil causes pain at the pump, Americans will soon feel the impact of China's monopoly on the rare Earth element market. Those impacts will be felt when they need a CAT scan or they want to buy a new computer for their small business or purchase an iPhone or install solar panels on their roof.

H.R. 4402, the National Strategic and Critical Minerals Production Act, introduced by our colleague from Nevada (Mr. AMODEI) will help to end this foreign dependence by streamlining government red tape that blocks strategic and critical mineral production. First and foremost, this is a jobs bill, and the positive impact of this bill's intent will extend beyond the mining industry. For every metals mining job created, an estimated 2.2 additional jobs are generated. And for every nonmetal mining job created, another 1.6 jobs are created. This legislation gives the opportunity for American manufacturers, for small business technology companies, and construction firms to use American resources to help make the products that are essential for our everyday lives, and in the process this will put Americans back to work.

As China continues to tighten global supplies of rare Earth elements, we should respond with an American mineral mining renaissance that will bring mining and manufacturing jobs back to the United States. The National Strategic and Critical Minerals Production Act will help supply our national security, high-tech, health care, agriculture, construction, communications, and energy industries with homemade American materials. This bill is the latest example of House Republicans' commitment to and focus on American job creation. The House has passed over 30 job creation bills that still sit in the Senate, where their leaders, unfortunately, refuse to take any action.

□ 0920

This includes several bills from the Natural Resources Committee to increase production of our all-of-the-above energy resources and to protect our public access to public land.

H.R. 4402 will enable new American mineral production. We must act now to cut the government red tape that is stopping American mineral production that furthers our dependence on foreign minerals.

So I urge my colleagues to vote ''yes'' for this underlying legislation; and with that, I reserve the balance of my time.

Mr. MARKEY. I yield myself as much time as I may consume.

It is really quite fitting that the Republican-controlled House of Representatives is taking up a bill today to weaken environmental regulations for the hard rock mining industry. Because just last night the Republican candidate for President held a lavish $25,000-a-plate fundraising dinner out in Montana. For those who don't know, the Daly mansion where that event was held was owned by a famous guy, Marcus Daly, was one of the three ''copper kings'' of Montana during the Gilded Age. He was infamous for his epic battles with other robber barons for control over the copper industry in Montana and around the country.

In fact, the Supreme Court's recent 5–4 decision to invalidate the Montana election law of 1912 overturned a law that was originally enacted to respond to the very excesses of mining barons like Marcus Daly.

So here we are out here on the House floor embracing the Gilded Age. But here in the Republican House, we are

not in a Gilded Age; we are in a Giveaway Age where every week the Republicans seek to hand even more giveaways to the oil, the gas, the timber, the coal, and the mining industries. The bill we are considering today is so broadly drafted where apparently sand, gravel, and crushed stone are considered rare and strategic that the majority actually appears to be trying to usher in a new stone age. Under this bill, the next time you go to the beach, you should put some sand in your pocket because the majority apparently believes that it is a rare element. That gravel in your driveway is protected because, under this bill, it is apparently strategic to America's national security.

Rare Earth elements are indispensable to a wide range of military, electronic, and industrial applications, as well as a variety of clean energy technologies. But this bill isn't giving us just the futuristic technologies of the Jetsons. It's giving us the prehistoric technologies of the Flintstones. Volumes of reports have been written about rare Earth minerals and other critical and strategic minerals; and none of them define things like gravel, sand, and clay as critical or strategic minerals.

What we could be doing and what we should be doing on this House floor is developing a policy to break China's grip on the rare Earth minerals that are important to our high-technology sector and to national defense. But we aren't doing that with this bill. No, what we are doing here is using strategic and critical minerals as a pretext for gutting environmental protections relating to virtually all mining operations.

Now, because the majority has cast so many votes to benefit these industries that it gets hard to keep track, we have created this chart to help everyone keep track of which industry is benefiting each week in the GOP giveaway game show. Yesterday, my colleague from Utah seemed extremely interested in making sure this chart functioned properly in order to aid the body. So I brought it back today so we can give it a spin and make sure we all remember who is getting a special giveaway today. But for the Republican Congress, this isn't the game show ''Wheel of Fortune.'' This is the Wheel of Fortune 500 Companies where we can spin to see which large, multinational companies will get handouts.

In ''Jeopardy,'' you state your answer in the form of a question. In the GOP House of Giveaways, answers are stated in the form of questionable policies. And the GOP's final answer in their running game of ''Who Wants to Be a Millionaire'' is always the same: it is the largest corporations in America at the expense of American taxpayers and the environment. In fact, the majority is bringing this bill chock-full of giveaways to the mining industry on the floor without addressing the 140-year-old loophole that allows mining companies to extract gold, silver, uranium, and other hard rock minerals from public lands without paying taxpayers any royalty payments.

This rip-off is even worse when you see that every western State actually charges royalties of between 2 and 12 percent for companies to mine hard rock minerals on State lands; but on Federal lands, which might be right next door, the mining companies don't have to pay taxpayers a dime in royalties.

The robber barons are long gone, but mining companies can still operate under a law put in place during their heyday. Yet the majority's answer is not only to do nothing to end this free mining on public lands. They are trying to hand even more giveaways to this industry in this bill. This is a bad bill, and it should be defeated. I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I'm very pleased to yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), who is the chairman of the Energy and Mineral Resources Subcommittee on the Committee on Natural Resources.

Mr. LAMBORN. I thank the chairman.

Madam Chairman, I am pleased to speak in support of H.R. 4402, the National Strategic and Critical Minerals Production Act of 2012, introduced by my colleague, Representative AMODEI, of which I am a cosponsor. This bill was heard in our Energy and Mineral Resources Subcommittee on April 26.

Although Americans hear a lot about our dependence on foreign oil, they may not know about our dependence on foreign countries for minerals critical to our manufacturing, national defense, communications, and medical care needs.

Over the years, we have allowed frivolous lawsuits and unnecessary regulations to stifle our domestic production of these vital minerals. Today, the United States is nearly 100 percent reliant on countries such as China for rare Earth elements that are essential to our economy. We should all be troubled by China's recent policies restricting exports of these critical minerals. But rather than complain about that to the World Trade Organization, as the Obama administration is doing, we should simply support our efforts to allow production of and access to our own vast domestic supplies.

This bill is a bipartisan plan that cuts red tape by streamlining the permitting process for mineral development which will create jobs and help grow the economy. Under current laws and regulations, it could take a developer up to 10 years to get all the government permits in place. This bill would shorten that time down to just over 2 years.

These minerals are essential components of technologies in everyday items ranging from cell phones, computers, medical equipment, renewable energy products, high-tech military equipment, and building supplies. They are vital to our country's manufacturing sector and our ability to create jobs. Every job in metals mining creates an estimated 2.3 additional job.

It's time for America to get serious about rare Earth and strategic minerals. We can start by opening up our $6 trillion worth of untapped mineral resources.

I urge my colleagues to support this bill.

Mr. MARKEY. I yield to the gentleman from New Jersey as much time as he may consume.

Mr. HOLT. I thank my friend, the ranking member.

Madam Chair, today we're considering the so-called National Strategic and Critical Minerals Production Act of 2012. Now, despite the bill's title, it has almost nothing to do with national strategic and critical minerals production.

□ 0930

In fact, under the guise of promoting the development of minerals critical to the United States' national security, this legislation would reshape mining decisions on public lands for almost all minerals. You heard Mr. MARKEY talk about gravel and sand and other things that can fall under the definition here of critical minerals.

There's a list of problems with this bill that is long, and several of the amendments we'll consider today will attempt to address the egregious provisions that would truncate important environmental review.

Make no mistake, this is a giveaway. It is free mining, no royalties, no protection of public interest, exemption from royalty payments, near exemption from environmental regulations, near exemption from legal enforcement of the protections. And it's unnecessary.

Madam Chairman, the Natural Resources Committee has already reported out legislation, on a bipartisan basis, to lay the groundwork for developing critical and strategic mineral production. Nearly a year ago, July of 2011—yes, 12 months ago—the committee reported out H.R. 2011, on a bipartisan basis, the National Strategic and Critical Minerals Policy Act of 2011, by unanimous consent. That bill would improve our understanding of critical strategic mineral deposits and aid in their development.

That legislation is not only bipartisan, it's supported by the National Mining Association, for heaven's sake. The president and CEO of the National Mining Association, Hal Quinn, issued a statement when the bill was passed out of committee, saying, ''The House Natural Resources Committee took important bipartisan action today to ensure U.S. manufacturers, technology innovators, and our military have a more stable supply of minerals vital to the products they produce and use.''

He went on to say that legislation ''will provide a valuable assessment of

our current and future mineral demands and our ability to meet more of our needs through domestic minerals production.''

Yes, a year ago we reported out a bill, on a bipartisan basis, that would do what this legislation purports to do. Instead, we're taking up this legislation, which is a giveaway.

The legislation we could be dealing with actually deals with strategic and critical minerals. If the majority were to bring it to the floor, I'm sure it would pass in an overwhelming, bipartisan way and would likely be passed by the other body and signed into law.

We should be able to work in this fashion when it comes to improving our supply of rare earths and other strategic minerals and ensuring that we're not dependent on China and other nations for their supply, but the majority is not interested, evidently, in working in a bipartisan fashion. Instead, they're moving this bill, H.R. 4402, which has almost nothing to do with strategic minerals and is really about giveaways to the mining industry. This bill is a Trojan horse and has no chance of becoming law.

Why are we playing these games? Why are, I should say, they playing these games with our need to develop strategic minerals? We should be working in the kind of fashion that led to last year's bill.

The majority should shelve this giveaway to the mining industry and bring up the other Critical Minerals Policy Act to the floor immediately.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the author of this legislation, the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Madam Chair, I'm going to follow on the theme from my colleague from the Garden State: Why? Why an 11½-page bill that does two things; sets a 30-month—not rock-hard, no pun intended—time limit on Federal permitting decisions for mines and says, if you don't like that decision, you've got to sue in 60 days?

Why are you not talking about what's the problem with 2½ years to talk about the permit? What's the problem with providing some predictability to the timing of the permitting process? What's the problem with not stringing people out under NEPA for over a decade for mine decisions? Why are we not hearing about that?

The giveaway stuff is phenomenally entertaining. This does nothing to tax law. This does nothing to safety law. This does nothing to supplant NEPA, and this does nothing to supplant any State fix. This is an 11-plus-page bill that says you've got 30 months—and by the way, if you both agree, you can use more than 30 months. Now, what's the translation of that? God forbid we have collaboration between an applicant and a Federal land use agency in this process.

Why are you afraid of collaboration? Why are you afraid of setting a time limit? And where in the 1969 NEPA law—since we're talking about old stuff—does it say this is a marathon, and if you can outwait them—forget about the facts, forget about the science, forget about the technology—we're going to obfuscate and delay and hope that you will go away? Because, you know what—my hat's off—it's become a great weapon in this.

But when less than 1 percent of the surface area of Federal land in this Nation is impacted by mining, I think what it's really about is we don't want any predictability for this because we're basically against an industry.

Everybody's got a definition of ''strategic.'' When you talk about transportation, medical devices, national defense, the economy, I think those are strategic and critical things.

So I would urge your support on this, to bring some collaboration, truly, instead of making this an administrative marathon for purposes of permitting.

Mr. MARKEY. I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Chair, the bill we are considering today isn't about ensuring our supply of ''strategic and critical minerals.'' This bill is about deregulating the mining industry and the pipeline industry.

It's misnamed. It should be renamed the Koch Brothers Mining and Pipeline Deregulatory Act of 2012. It's consistent with everything that my colleagues on the other side of the aisle have been about during this 112th Congress. It's been about deregulation; it's been about tax breaks for the wealthy; and it's been about cutting the ability of the government to do what it needs to do.

While they're cutting the ability of the Federal agencies to assess the propriety of these kinds of activities—mining and gas line production—while they are cutting the ability to do that, they are reducing the time within which the remaining assets of the various agencies have to do the work that they are supposed to do. I'll tell you, it's important that we assess the environmental impact of various proposals on our environment, but my colleagues on the other side don't care about the environment.

Almost a year ago, the Natural Resources Committee produced H.R. 2011, the National Strategic and Critical Minerals Policy Act, a bipartisan bill that actually did address supply vulnerabilities for truly strategic and critical minerals policy. I was proud to work with Ranking Member MARKEY and Chairman HASTINGS to coauthor that legislation, and it was passed unanimously by their committee.

That bill, H.R. 2011, would have passed this body with broad bipartisan support and would probably have passed the Senate, too. It could have been a rare glimpse of actual governance in this totally politicized Tea Party House of Representatives. Unfortunately, I understand that bill was obstructed by Republican leadership. I wonder why.

Could it be the Koch brothers? Things go better with Coke. Could it be because the mining industry instructed them to attack environmental regulations instead? Did someone get a phone call from Rush Limbaugh with instructions?

The CHAIR. The time of the gentleman has expired.

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

Mr. JOHNSON of Georgia. Rather than bringing the bipartisan H.R. 2011, here we have a wolf in sheep's clothing, a bill that purports to serve our national security interests but, in truth, just seeks to undermine environmental regulations that protect the health and well-being of Americans throughout this great country.

□ 0940

It's just another episode in a long saga of misleadingly named Republican legislation, bills that claim to help the country, but really just help the special interests. What a shame.

Mr. HASTINGS of Washington. Madam Chairman, I yield myself 30 seconds, and I would yield to the gentleman from Georgia, if he can tell me, in this 11-page bill, where environmental laws are gutted, and I'll yield to the gentleman if he can give me a specific, what page.

I'm asking you a question, and I'll yield to you if you respond to my question.

Mr. JOHNSON of Georgia. You asked me a question and I'm going to answer it.

Mr. HASTINGS of Washington. What page?

Mr. JOHNSON of Georgia. The overall scheme of this bill——

Mr. HASTINGS of Washington. What page?

Mr. JOHNSON of Georgia. The overall scheme of this bill is to take away——

Mr. HASTINGS of Washington. What page? I asked the gentleman—I'm yielding to him to respond to me at what page. The gentleman cannot respond.

Mr. JOHNSON of Georgia. You're not interested in debate.

Mr. HASTINGS of Washington. The gentleman obviously can't respond. I reclaim my time.

I am very pleased at this point to yield 2 minutes to the gentleman from Arizona (Mr. GOSAR), a member of the Natural Resources Committee.

Mr. GOSAR. Madam Chairman, I rise today in support of H.R. 4402.

My home State of Arizona is known for the five Cs: cattle, cotton, citrus, climate, and, lastly, copper. People have been digging in Arizona for precious metals like copper for centuries. In the 1850s, nearly one in every four people in Arizona were miners. Without a doubt, mining fueled the growth that makes Arizona the State it is today.

Today, the Arizona mining industry is alive, but it is not what it used to be.

A wide array of other critical minerals such as copper, coal, uranium, lime, and potash are mined throughout my district. These projects employ hundreds of my constituents with high-paying jobs, jobs that pay over $50,000 to $60,000 a year plus benefits. In rural Arizona, those types of jobs are few and far between—in fact, they are few and far between across this country.

But there is some potential, and there's so much more. As you can see from the graphic, rare Earth and other critical minerals have been discovered throughout rural Arizona and are suitable for development. These are minerals our country badly needs to meet the demands for production of everyday items like cell phones, computers, batteries, and cars.

So what is the holdup?

As I travel throughout rural Arizona talking with companies that do business throughout my State, the message is clear. The length, the complexity, the uncertainty of the permitting process is stymieing the development of and discouraging investors from committing to U.S. mining.

If you do not believe this, how about a real life example? I will give you an example right out of rural Arizona. Down here in Safford, in the southeastern part of my district, is the home of the newest mine in North America. It took 13 years for all the necessary permitting. Imagine that. Time is money.

I was the first cosponsor of H.R. 4402 because the government has to work more efficiently. This legislation streamlines the process and sets benchmarks while ensuring continued environmental protection.

Let me be clear. Despite what the opposition says, this bill does not exempt the industry from complying with environmental regulations. It tackles the problems on the government approval process.

Let's restore some sanity into the permitting process.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. GOSAR. If the current bureaucratic gridlock was in place 150 years ago, I do not believe Arizona could exist as it does today. Copper would not be one of our five founding Cs.

Let's restore some sanity to the permitting process and get American miners back to work. Vote ''yes'' on the National Strategic and Critical Minerals Production Act. Our economy deserves and depends on it.

Mr. MARKEY. I yield as much time as he may consume to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman.

I just wanted to address the point raised by the committee chair. Where in the bill, he asks, are there exemptions from environmental review?

Well, section 102 is where they are, right at the front of this bill, page 4, if he wanted to know the page number. Under section 102, the lead agency can determine whether the NEPA law, the National Environmental Policy Act, even applies to a particular project. The whole idea of the National Environmental Policy Act is that there would be an independent review that involves public input, input from all affected interests, and input from somebody who speaks for the land and somebody who speaks for the trees.

One of my colleagues a few moments ago said mining affects only a tiny, tiny fraction of the land. Well, that is, if you ignore everybody who's downstream and downwind.

Section 102 allows deferring and relying on data from reviews that have been performed not under NEPA standards. The majority says, well, State reviews should suffice.

Well, does anybody remember a State called Montana that was controlled by copper interests? Do you think that State's reviews of a copper mining environmental impact would suffice?

Well, that's the kind of thing that would be permitted under this legislation. It would be whether to prepare a document, the determination of the scope of any review, the submission and review of any comments from the public. They could say no public comments are permitted. I consider that a real abrogation of our responsibility and, yes, a real removal of environmental protection.

Mr. HASTINGS of Washington. I yield myself 30 seconds to respond to my friend from New Jersey.

He talked about section 102. Section 101, which is the basis of all this really, talks about what the President did with his executive order, by improving performance of Federal permitting and review of infrastructure projects. Now, we are simply duplicating what the President has already said is okay in other areas.

With that, Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Madam Chair, I rise in support of H.R. 4402, the National Strategic and Critical Minerals Production Act.

It's nice to hear on the floor who it is that's speaking for the trees in New Mexico. We've just burned down 300,000 acres of those trees in New Mexico because of the voices coming from Washington saying don't cut a single one of them. Let the fuels build up in those forests until they burn down.

All this bill is doing is saying, let's hold our government accountable to some standard of performance. We want our government servants to do the same work they would do in 10 years in maybe 30 months. That is not an unreasonable assumption for us in America, who are looking for the jobs.

New Mexico used to be the home to 11 rare Earth mineral mines. Those are the ones that create cell phone batteries, the minerals that create technological things. And we now have pushed those out of New Mexico and the rest of the West, and we've pushed them over to China so that they have the jobs and we no longer have them in this country.

We have people here who are willing to scream foul on every single thing when we ask the government to simply do its job in a little bit more efficient manner.

We actually did that in the 2005 Energy Policy Act. An amendment placed in the Resources Committee actually improved the permitting process. It had categorical exclusions. It created pilot offices.

I just had a chance to visit with the State director of BLM last week. He said that our processes are so much better today because of that bill. That's all we're trying to do in this bill here today.

H.R. 4402 simply listens to the President. We were talking about, from the other side of the aisle, we should rename it. Well, why don't we rename it, We're Listening to You, Mr. President? You asked on March 22 that our Federal permitting and review processes must provide a transparent, consistent, and predictable path. The President is asking for it, and this bill simply gives it.

The reason that we don't have jobs in this country is because we're sending them to other countries. Companies cannot wait for 10, 12, 15 years. They can't invest in that permitting process to get to the point of where their process is finished.

The CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 30 seconds.

Mr. PEARCE. They can't invest 10 to 12 years in a permitting process to be told at the end of it, we're sorry; we're not going to do it.

We could call this the Let's Reinvest in American Green Jobs. Green jobs require aluminum; 100 percent of that is imported. Green jobs require nickel; 100 percent of that is imported. Green jobs require platinum; 91 percent of that is imported.

Our friends on the other side of the aisle speak from both sides of their mouth. We want green jobs, but we don't want to have any of the productive assets here. We want to import them from other countries. Let's reinvest in America.

□ 0950

Mr. MARKEY. Madam Chair, how much time remains on either side?

The CHAIR. The gentleman from Massachusetts has 12½ minutes remaining. The gentleman from Washington has 15 minutes remaining.

Mr. MARKEY. I yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman for giving me a chance to clarify further the point raised by the chairman that

this does not eviscerate environmental protections.

I talked about section 102, and the chairman came back and said, well, section 101 just refers to the Presidential order that allows certain infrastructure projects to move ahead with expedited environmental review. First of all, it is only expedited environmental review—it is not with removal of environmental review—and that was talking about specific critical construction projects.

What this would do would allow the exemption, essentially, from environmental review for any of the materials that go into the construction project, including gravel and sand. All of that would be exempt because the mining companies could negotiate a timetable for each step of the review process. The mining companies could enter into a negotiation for determining whether there would be public comment or whether partial previous reviews would suffice.

Furthermore, section 103 directs the agency overseeing this project to prioritize, to give the highest priority, to maximizing the production of the mineral resource. In other words, that relegates any review, any challenge to the regulatory process, to secondary, tertiary or nonexistent status. It says maximizing production has the highest priority. This is a giveaway to mining companies. This is not about providing strategic and critical minerals.

The other side has talked at length about the importance of these minerals to our modern technology today for batteries and cars and magnets and all sorts of other things. They're right, we should be ensuring a good supply of these things; but this bill does not do it.

Mr. HASTINGS of Washington. Before I yield to the gentleman from Michigan, I yield myself 30 seconds.

The gentleman from New Jersey disparaged, I guess, sand and gravel. Madam Chairman, I would point out to you that I think, after the earthquakes in northern California, when roads collapsed, and after the earthquakes in southern California, when the roads collapsed, and when the bridge collapsed in Minnesota, I have to believe that those people felt that sand and gravel were very critical minerals at that time. That's why this bill is broad in its definition of ''critical minerals.''

With that, I am very pleased to yield 2 minutes to a member of the Natural Resources Committee, the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Thank you, Mr. Chairman.

I come to the floor today to express my support for H.R. 4402, the National Strategic and Critical Minerals Production Act. This bill will expedite responsible mineral production in the United States by reducing Federal red tape and by speeding up the Federal permitting process to create new mining jobs.

My northern Michigan district is blessed with abundant mineral resources. From copper mines in Keweenaw and Houghton to the iron mines in Marquette and the western parts of the Upper Peninsula, mining has been the foundation of northern Michigan's economy. Currently, mining contributes over $4 billion to Michigan's economy annually and employs over 30,000 people. Today, new mining operations in northern Michigan are being explored. These mines have the potential to create thousands of new jobs. In fact, just last week, I visited one of these new mine sites and was able to see firsthand the work that they are doing to responsibly utilize Michigan's vast copper resources.

Regrettably, the Federal Government and Washington bureaucrats have been standing in the way of new mines across this country. Due to lawsuits and government inefficiency, the current process of acquiring permits for a new mining project can take more than a decade. That's right, a decade. While our economy is struggling, we can not afford to wait 10 years while the Federal Government sits on its hands. We need to encourage the responsible use of our mineral resources to create jobs and keep America competitive with the rest of the world.

Madam Chair, I encourage all Members to support this commonsense legislation to speed up this process and create jobs. If we can get the Federal Government out of the way, I am confident areas like northern Michigan can flourish once again.

Mr. MARKEY. I yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Madam Chair, I have used the phrase ''giveaway,'' as have others today several times. The ranking member spoke about the wheel of giveaways. One day, it's oil. Another day, it's timber. Today, it's mining. There is also a lot of concern about the special interests that are represented here by this.

I offered an amendment to this bill to ensure that the companies involved, the mining companies, could not continue to extract valuable minerals for free, minerals that belong to the American people, without accountability for their expenditures to obtain political influence. My amendment, which unfortunately was not allowed by the Rules Committee, would have simply required that mineral exploration and mining companies disclose their contributions for political influence over the previous 5 years in order to obtain new leases—perfectly legal and, I would say, perfectly reasonable.

The Supreme Court decision in Citizens United ruled that corporations may spend freely in elections, which I believe constituted a blow to popular democracy. It overturned a century-old doctrine going back to Teddy Roosevelt restricting corporate money in campaigns. The flawed decision opened floodgates on corporate spending to influence, maybe even to dominate, our elections. Because of that decision, American democracy has come to be defined by super PACs and similar organizations.

The amendment I offered would have helped to restore some sanity and transparency to this process by requiring that mining companies disclose their campaign contributions over the previous 5 years in order to receive new leases for public lands.

As Speaker BOEHNER said on ''Meet the Press'' a few years back:

> I think what we ought to do is we ought to have full disclosure, full disclosure of all of the money that we raise and how it is spent. I think that sunlight is the best disinfectant.

I agree. We should be doing that in this case as well. Promoting the development of minerals that are critical to core national priorities and that are genuinely susceptible to supply disruption, like rare Earth elements, should be an area where Democrats and Republicans can work together, not one where special interests advance one partisan interest over another. Unfortunately, the majority's hurry to give yet another handout to the mining industry means that we are not having that debate here today.

Mr. HASTINGS of Washington. Madam Chairman, I am very pleased to yield 2 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Chairman, thank you for the time.

I stand here today in support of the bill of my friend and colleague, MARK AMODEI.

I think it's really important that we use America's resources responsibly to grow jobs in this country. We need American jobs using American resources and not relying on foreign imports and driving our jobs offshore. This is especially important when it comes to our mineral resources. We've heard all the rhetoric on the other side of the aisle, all that stuff. Let me just talk to you about the eastern Oregon miners.

They are individual men and women. They are very blue collar. They are not part of the wealthy class you hear talked about here. They've just been trying to work with this Federal Government for over a decade to be able to use the mining claims that they have. Back in 2001 and 2004, the Forest Service grouped together 49 mining plans of operations for analysis and approval. Then in 2005, the Forest Service decision to approve the plans was then litigated, and it resulted in the requirement that the Agency reduce some of its analysis.

□ 1000

Today, 11 years later, the Federal Government still can't get their work done. This is in an area that at one time in our history produced some of the most substantial gold, silver, and minerals that we need in the United States.

When we pull out all our little electronic gadgets—you know what?—if it weren't for the mining interests in

America, you wouldn't have those gadgets, because that's what goes into what we use. We need to be able to use America's resources. This allows us to do it.

The 42 mining operations in Baker County, if they were allowed to work—and these are just average Americans just trying to do what they're allowed to do under Federal law but held up because of the Federal agency's inability to get their work done or unwillingness to in the North Fork and the Burnt River and elsewhere. If they could just move forward, if they could just get an answer out of the Federal Government in something short of 10 or 11 years, they could be producing jobs. They could be producing mineral resources and wealth for this country, the United States of America. We can create jobs here using our mineral resources.

Some of these people have died waiting. You shouldn't have to die waiting for your Federal Government to get its work done. That's why we need this bill.

Mr. MARKEY. I ask once again how much time is remaining.

The CHAIR. The gentleman from Massachusetts has 7 minutes remaining, and the gentleman from Washington has 10½ minutes remaining.

Mr. MARKEY. At this point, Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I'm very pleased to yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Madam Chair, I'm honored to rise in support of H.R. 4402, with my colleague MARK AMODEI, and to support this.

This is about setting a definitive timeline for permits, which creates certainty and encourages private investment. This is not about government investment; this is about private investment. This is not about taxpayer dollars, but taxpayers. This is about jobs and the American economy.

Everything from your automobile to your iPhone requires rare Earth minerals. Every solar panel, every wind turbine, every electric battery for every car, every fluorescent light bulb, your UV glass, audio speakers, fiber optics, precision guide munitions, metal alloys, magnets, and a whole lot more all require rare Earth minerals.

We need to understand that China now controls the international market of rare Earth minerals, not because they have beaten us in the market, but because we have beaten us. We have the resources, but we simply made the permitting process so long, complicated, and unpredictable that we've killed our supply and allowed other Nations to control our future.

In my district, there is a magnet manufacturing plant that creates high-tech magnets dependent on rare Earth minerals. Last year, they were able to purchase a certain rare Earth mineral for $4 a pound. Now, with China as the only supplier, that is now $55 per pound. That drives up the cost of everything that we use those high-tech magnets for, and it's very difficult on the manufacturing industry.

We have allowed China to have the monopoly. We should have the ability to produce our own materials here.

You cannot turn on your car, your lights, your computer without China sending us the materials to do it. When we are fighting to get control of our energy future, we must not forget that it doesn't matter if we have our own energy future if we can't even turn on what we plug in because we don't have the rare Earth minerals to produce it.

We have a manufacturing future if we actually manufacture, and that means rare Earth minerals now in this modern economy. Jobs like mining, geologists, engineers, truck drivers, manufacturing, service industry, yes, even government regulators are all dependent on us getting moving on producing our own stuff.

Right now, as the price goes up, it's time for us to bring the price down with more mining.

Mr. MARKEY. Madam Chair, I continue to reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I'm very pleased to yield 2 minutes to my colleague from the great State of Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. I thank the chairman from the great State of Washington for yielding, and I rise in strong support of Mr. AMODEI's important legislation, the National Strategic and Critical Minerals Production Act, because if we want to build it in America, then we need to be able to mine it in America.

This legislation is important in identifying and promoting strategic and critical minerals here in America. It will make us more competitive by addressing permitting delays, improving the NEPA process, and revitalizing our domestic critical minerals supply chain.

Madam Chairman, it takes longer to receive a mining development permit in the United States than in any of the other 25 mining nations in the world. The average waiting period for a permit is 7 to 10 years, and in many examples, it's much longer. We can improve this process without changing our environmental standards.

The Kettle River-Buckhorn mine in eastern Washington that employs over 400 people in Ferry County knows this all too well. The EIS schedule and now the important exploratory permits to keep them operating have been delayed for years and was recently delayed for an additional year without much explanation.

This bill is important. It's important to bringing jobs to America, bringing job certainty to Ferry County and eastern Washington.

Right now, many foreign countries are requiring companies that buy raw materials from them to produce the products those minerals are a part of in that foreign country. If you are concerned about American infrastructure, if you are concerned about American manufacturing, if you are concerned about American energy independence, American mining, or American jobs, I urge you to support H.R. 4402.

Mr. MARKEY. Madam Chair, I yield myself such time as I may consume.

This legislation is fundamentally a solution in search of a problem. According to the analysis of data provided by the BLM for hard rock mines on public lands for which we have complete data, the average time it takes to approve a plan of operation for a mine has actually decreased under the Obama administration.

According to the BLM data, plans of operation for hard rock mines are being approved roughly 17 percent more quickly under the Obama administration than under the Bush administration. Thank you again, President Obama, for the great job you're doing in changing the way in which the Bush administration held up those permits.

Despite the majority's claims, 82 percent of plans of operation for hard rock mines are approved within 3 years under the Obama administration. According to the BLM, it takes, on average, 4 years to approve a mining plan of operations for a large mine. That's more than 1,000 acres on public lands.

My colleagues on the other side have asked repeatedly what the problem is with their legislation that would truncate and eviscerate proper review of all mines on public lands if the majority of plans are approved within 3 years. It is because a little more than 15 percent of hard rock mines take more than 4 years to approve. For these mines, where mining companies may not have submitted a complete application and may not have posted a sufficient bond to ensure the mine is cleaned up where additional environmental review is required because the mine is large or potentially damaging to our environment and public health, this bill would prevent proper review.

We're already approving hard rock mines more quickly under the Obama administration than under the Bush administration. We should not be eviscerating proper review of virtually all mining operations on public lands, as this Republican bill would do, and we should certainly not be doing it under the pretense of developing critical and strategic minerals.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I'm very pleased to yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I appreciate the gentleman for yielding.

We're here talking about H.R. 4402 that's going to minimize the permitting process and the delays and streamline bureaucracy around mining.

I want to be clear that there is no conversation in this House that is saying we should do away with the permitting process or we should do away with the bureaucracy. We're here to say, Let's streamline it. Let's make it easier. Let's make sure that we don't have the bureaucracy and the permitting process stand in the way of good projects and good paying jobs.

In my home district in the northwest corner of Wisconsin, we had a similar issue come up that we dealt with in our State.

□ 1010

We have a great vein of iron ore up in Iron County and Ashland County. It's a vein that, if mined, would create 600 to 700 new, good-paying jobs in the northern part of Wisconsin, jobs that pay anywhere from $60,000 to $80,000 a year. Many of those jobs would be union jobs.

What we try to do in the State of Wisconsin is say let's streamline the permitting process so those who want to invest in that mine can get an answer in a reasonable amount of time. And if we go through a permitting process—any of us who live in northern Wisconsin who would have found information that would say that this mine would damage Lake Superior, which all of us love, we live up there because we love the outdoors, we love the lake—if it was going to damage the lake, we would all stand opposed to the mine.

If you can do it in a safe manner and if you can get a permit in a reasonable amount of time, why are we saying no to good-paying jobs? This is an area that has an unemployment rate of over 10 percent. They need good-paying jobs, and we have the permitting process standing in the way of these people going back to work.

We see more and more rules and regulations that stand in the way of job growth. That's wrong.

Let's stand together, let's streamline this process, make sure that we're environmentally safe and we're also creating jobs.

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

Mr. HASTINGS of Washington. Madam Chair, may I inquire as to how much time remains on both sides.

The CHAIR. The gentleman from Washington has 4½ minutes remaining, and the gentleman from Massachusetts has 5 minutes remaining.

Mr. HASTINGS of Washington. I yield 1 minute again to the author of this legislation, the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Madam Chair, I would just briefly indicate—and I want to thank you for finally looking at section 102 and talking about the bill. I appreciate that. It's a great day in my young career that that has happened.

Let's look at what section 102 does that is so insidious for the wheel of giveaways, which by the way we want to borrow and paste over it. Instead of what you've got, how about the wheel of takeaways? Takeaways from national defense, takeaways from communications, takeaways from national infrastructure, takeaways from balance of trade; oh, and let's talk about takeaways from living-wage jobs without standing benefits, some of which are, in fact, union jobs. So the wheel of takeaways we won't bore you with, but that wheel can go both ways.

Section 102, interestingly enough, if you like this, this is a bad thing. It requires best practices, Madam Chair, for things like considering State agency reports that have jurisdiction over the issue. That's a pretty frivolous takeaway. It already exists.

Or how about considering best practices for conducting reviews concurrently? Oh, my God, the Republicans are giving something away, conducting reviews concurrently. Oh, my goodness. How about expediting rather than delaying the process?

Mr. MARKEY. I yield myself 1 minute.

Again, this bill is not aimed at ensuring that we can guarantee that we increase the production of the kinds of rare Earth that we need in order to compete against China. By the way, if we're really going to be using China as the guise for the reduction in the environmental laws in the United States because they have rare Earth, and we're ramping up our production of rare Earth, what we should really be talking about is why in the world are the Republicans supporting the sale of our oil and our natural gas to China.

If they're using precious minerals as an economic weapon against the United States, then why don't we use natural gas and oil, which we have, against them because that's the most precious of all minerals.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield myself an additional 1 minute.

Oil and gas really drive the economy of the world, and every time I bring an amendment out here on the floor that says, well, let's drill for oil and natural gas on the public lands of the United States, but we can't export it after we discover it here, drill for it here, to China, the Republicans, every time, vote not to put a ban on that. At the same time, they are over there with crocodile tears very concerned about China having all of these precious metals that they won't sell to us.

Well, you want to know the best way to get China to sell that stuff to us? For us not to sell the stuff we have to them, that they need to manufacture those materials. That's the game.

So you can't have it both ways. You just can't have it both ways. Either this is a great threat to our country and we're going to use the precious metals we have, the precious minerals that we have, oil and gas as our weapon against China, or we're doomed. We don't have a real strategy.

Again, this is not a coherent strategy to deal with the country of China and their economic strategy to undermine our competitiveness.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chair, I would just advise my friend that I am prepared to close if the gentleman from Massachusetts is prepared to close.

Mr. MARKEY. I am prepared to close.

The CHAIR. The gentleman from Massachusetts has 3 minutes remaining.

Mr. MARKEY. I thank the Chair.

China's rare Earth policies do burn America's high-tech manufacturing competitiveness, and the Republicans just want to throw gas on the fire, American natural gas.

Our greatest competitive advantage in manufacturing right now is low-priced domestic natural gas, but the Republicans want to export that competitive edge to China and to develop a global natural gas market so that the United States natural gas prices triple here domestically, or quadruple to match the prices the rest of the world pays.

China will not send their rare Earth minerals to the United States, but Republicans have continually voted to allow exports of our low-cost natural gas, our manufacturing advantage, to China.

This is a one-way ticket to manufacturing oblivion. Natural gas in our country is six to seven times less expensive than natural gas in China. It is four times less expensive than natural gas in Europe. That is our competitive advantage.

What the Republicans have consistently done since they have taken over the majority is to put in place policies to export our natural gas that is six times less expensive to China that will then be used in the manufacture of every product that they will then sell back to us, undermining every manufacturing industry in the United States as we supply the very valuable precious natural gas they need in order to harm dramatically the American economy.

Where do they show up? They show up here with crocodile tears about the restrictions that the National Environmental Policy Act places upon mining for sand, mining for gold, mining for silver. You really think that's the way we're going to get back into a better competitive stance against the Chinese as you're saying no, let's sell our natural gas that's six times less expensive than the natural gas they have in America fueling their industries?

That's just an upside-down policy. It's just dealing with the periphery of the challenge that China presents to us, and not even in an effective way, rather than going right to the core of how they are exploiting this mindless commitment to not the American Petroleum Institute, but we might as well call it the world petroleum institute because they don't represent American interests.

That's what we have to do here on the floor of the House of Representatives. That's what our amendments do

today to make sure that we do for our country.

I yield back the balance of my time.

Mr. HASTINGS of Washington. May I inquire as to how much time I have remaining.

The CHAIR. The gentleman from Washington has 3½ minutes remaining.

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

First of all, for the record, Madam Chair, natural gas is not affected at all by this bill.

Madam Chair, I will submit for the RECORD excerpts from the March 2012 Report to Congress by the Department of Defense on the rare Earth materials in defense applications on national security dependence on a secure supply of high-tech critical minerals.

□ 1020

Madam Chairwoman, my colleagues have talked about the fact that this administration claims that mining permitting timelines have been reduced. Yet this President has been in office now for 40 months, and while they are filing WTO complaints against China on rare Earth minerals, they have yet to permit one rare Earth mine here in America, and there doesn't seem like there's any on the horizon that will get approval.

I want to also talk about one other thing, Madam Chairman. President Obama has been giving a lot of speeches claiming support for insourcing jobs to the United States from foreign nations. Currently, our Nation is dependent on foreign nations such as China and India for critical materials that American manufacturers and our economy depend upon. This bill will help reverse this dependency and insource these good-paying jobs right here to the United States. Yet the official position of the Obama administration is that they strongly oppose this jobs bill. Not only will this bill help create mining jobs in Nevada, Colorado, New Mexico, and many other States, it will also help produce the critical materials and minerals that American manufacturers need and that millions of jobs depend on in Ohio, Michigan, and Pennsylvania.

So President Obama can give speech after speech claiming support for insourcing jobs, but when he should take action to make that happen, the Obama administration essentially goes the other way, as he has done with this bill.

Once again, Madam Chairman, this bill simply says that in a given time period there should be a decision made. It doesn't say it should be a positive or negative, but that a decision should be made. That's all. And when we're dealing with materials that are so important to our economy and to American jobs, we should be very much in favor of this legislation.

For that reason, Madam Chairman, I urge my colleagues to vote for H.R. 4402, and I yield back the balance of my time. Madam Chairman, I note for the RECORD excerpts from the March 2012 Report to Congress by the Department of Defense on the Rare Earth Materials in Defense Applications on national security dependence on a secure supply of high-tech critical minerals.

ASSESSMENT OF RARE EARTH MATERIALS SUPPLY CHAIN

A. INTRODUCTION

This report is prepared pursuant to section 843 the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) and Senate Report 111–201, accompanying S. 3454, page 174. The Act requires the Secretary of Defense to submit a report to Congress on the supply and demand for rare earth materials in defense applications and Senate Report 111–201 requests discussion of national security issues related to rare earth materials in the defense supply chain.

C. CONGRESSIONALLY MANDATED ASSESSMENT CRITERIA

In section 843 of the National Defense Authorization Act (NDAA) for Fiscal Year 2011, Congress mandated that the Department assess which, if any, of the rare earth materials meet the following two criteria:

Criterion 1: ''The rare earth material is critical to the production, sustainment, or operation of significant United States military equipment.''

Criterion 2: ''The rare earth material is subject to interruption of supply, based on actions or events outside the control of the government of the United States.''

For each rare earth material that meets both criteria, section 843 requires a plan to ensure long-term availability, with a goal of establishing an assured source of supply of such material in critical defense applications by December 31, 2015.

Section 843 states that the plan shall include consideration of risk mitigation methods and states that sintered neodymium iron boron (NdFeB) magnets meet the criteria for inclusion in the plan.

F. FORECAST OF U.S. SUPPLY VS. KEY DEFENSE CONSUMPTION—2013

	Supply	Consumption	Surplus	Deficit
Dysprosium	7	7	0	.....
Erbium	1.2	1.14	0.056	.....
Europium	21	11	10	.....
Gadolinium	42	4	38	.....
Neodymium	2,232	110	2,122	.....
Praseodymium	824	14	810	.....
Yttrium	26	119	.....	93

Rare earth materials are widely used within the U.S. defense industrial base. Markets for rare earth materials are dominated by commercial end-uses, and the defense industrial base represents a small fraction of overall U.S. consumption. The seven rare earth elements in the preceding table are those which are the most prevalent among defense consumption for the purposes of procurement. The assessment determined that by 2013 U.S. production could satisfy the level of consumption required to meet defense procurement needs, with the exception of yttrium (estimates based on model using 2010 data). Since 2010, both expected DoD demand, and, more significantly, actual U.S. commercial demand have decreased significantly. As importantly, the U.S. and global market has responded to market conditions with new investments, corporate restructuring, and technical advances. All are trending positive for a market capable of meeting future U.S. Government demand. It is anticipated the domestic supply of REEs and rare-earth-containing products will continue to grow between now and 2015, and it will be possible for manufacturers within the defense industrial base to obtain some rare-earth-containing products from reliable foreign sources of supply. Despite the many positive developments that indicate an increasingly diverse and robust domestic and global supply chain for rare earth materials, the Department will continue to monitor these supply chains and take actions as indicated in the following sections.

G. DOD'S RECOMMENDED PLANS TO ASSURE SUPPLIES OF RARE EARTH MATERIALS

The DoD plan for ensuring the long-term availability of rare earth materials applies a multi-pronged approach. The following options could be used in conjunction with existing DoD Defense Production Act Title I authorities (e.g., priority claim on U.S. supplies and foreign supplies that are imported into the United States):

DoD will engage in continuous, rigorous monitoring of markets and production levels;

DoD will undertake recurring reviews of defense industrial base materials supply chains;

DoD will make preparations for the possible need to establish buffer stocks that are contractor-owned, U.S. Government-subsidized but not implemented unless certain predetermined marked indicators are met; and

DoD will make preparations for the possible need to establish contingency measures to obtain vendor-managed inventories when pre-determined market and/or supply chain indicators occur.

In addition to the elements of supply assurances in the plan above, the following methods will be considered during implementation of the DoD plan, as outlined in section 843:

Assessment of available financing to industry, universities and not-for profits;

Assessment of Defense Production Act benefits;

Assessment of research and development funding for alternatives and substitutions; and

Assessment of foreign trade practices with relevant U.S. Government components.

H. CONCLUSIONS

Rare earth materials are widely used within the defense industrial base. However, such end uses represent a small fraction of U.S. consumption. As a result, when looked at in isolation, the growing U.S. supply of these materials is increasingly capable of meeting the consumption of the defense industrial base. Over the past year, there have been a number of positive developments with regard to both supply and demand within the rare earth materials markets. Reactions to market forces have resulted in positive developments, such as prices decreasing by half from their peak levels in July 2011, increased investment and domestic supply of rare earth materials, corporate restructuring within the supply chain, and lower forecasts for non-Chinese consumption. By 2015, the Department believes this will help to stabilize overall markets and improve the availability of rare earth materials.

The Department remains committed to pursuing a three-pronged approach to this important issue: diversification of supply, pursuit of substitutes, and a focus on reclamation of waste as part of a larger U.S. Government recycling effort. In addition to the many positive developments that indicate an increasingly diverse and robust domestic and global supply chain for rare earth materials, the Department will continue to monitor these supply chains, prepare possible contingency plans for ensuring their availability, and implement such plans as appropriate.

Mr. SCHOCK. Madam Chair, I rise today in strong support of H.R. 4402, the National Strategic and Critical Minerals Production Act.

Many Americans might not be aware, but our country is facing a crisis when it comes to rare earth elements. These naturally occurring elements are vital to our national security because they are essential components in defense weapon systems. However, their importance does not end there. Everyday items that Americans are accustomed to, such as cell phones and computers, require rare earth elements. Our energy infrastructure is dependent on these resources, including: pipelines, refining capacity, electrical power generation and transmission, and renewable energy production. Strategic and critical minerals are also used to support the manufacturing, agriculture, housing, and telecommunications industries. Even medical equipment utilizes these elements.

During the 1960s and continuing to the 1980s, America was the premiere leader in rare earth element production. However, since then production has moved almost exclusively to China. They now produce about 97 percent of rare earth oxides, are the single exporter of commercial quantities of rare earth refined metals, and are the manufacturer of the world's strongest magnets.

What is most disturbing is that China appears to be cutting its rare earth exports and restricting other countries access to these resources. America has become almost totally dependent on China for rare earth elements, and we have lost our domestic capacity to tap into our own supply.

Madam Chair, this House has had lengthy debates about how onerous red-tape and regulations are hurting our country's economy. Unfortunately, over-regulation is hurting our ability to produce rare earth elements. Frivolous lawsuits and a maze of a permitting process have caused America to no longer be a leader in rare earth element manufacturing. H.R. 4402, corrects this problem. This legislation will allow our country to more efficiently develop these essential resources.

The National Strategic and Critical Minerals Production Act will cut red-tape and streamline the permitting process to begin a mineral production project which can currently take over a decade. This bill will require the permitting review process to be completed within 30 months. Additionally, the legislation ensures projects are not indefinitely delayed by litigation by setting time limits to file legal challenges to mining projects.

Overall, this legislation would require the Departments of Interior and Agriculture to better help develop our rare earth elements here at home.

Madam Chair, this bill is vital to our national security and our economy, and I urge its swift passage.

The CHAIR. All time for general debate has expired.

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

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–26. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 4402

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Strategic and Critical Minerals Production Act of 2012''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The industrialization of China and India has driven demand for nonfuel mineral commodities, sparking a period of resource nationalism exemplified by China's reduction in exports of rare-earth elements necessary for telecommunications, military technologies, healthcare technologies, and conventional and renewable energy technologies.

(2) The availability of minerals and mineral materials are essential for economic growth, national security, technological innovation, and the manufacturing and agricultural supply chain.

(3) The exploration, production, processing, use, and recycling of minerals contribute significantly to the economic well-being, security and general welfare of the Nation.

(4) The United States has vast mineral resources, but is becoming increasingly dependent upon foreign sources of these mineral materials, as demonstrated by the following:

(A) Twenty-five years ago the United States was dependent on foreign sources for 30 nonfuel mineral materials, 6 of which the United States imported 100 percent of the Nation's requirements, and for another 16 commodities the United States imported more than 60 percent of the Nation's needs.

(B) By 2011 the United States import dependence for nonfuel mineral materials had more than doubled from 30 to 67 commodities, 19 of which the United States imported 100 percent of the Nation's requirements, and for another 24 commodities, imported more than 50 percent of the Nation's needs.

(C) The United States share of world wide mineral exploration dollars was 8 percent in 2011, down from 19 percent in the early 1990s.

(D) In the 2012 Ranking of Countries for Mining Investment, out of 25 major mining countries, the United States ranked last with Papua New Guinea in permitting delays, and towards the bottom regarding government take and social issues affecting mining.

SEC. 3. DEFINITIONS.

In this Act:

(1) STRATEGIC AND CRITICAL MINERALS.—The term ''strategic and critical minerals'' means minerals that are necessary—

(A) for national defense and national security requirements;

(B) for the Nation's energy infrastructure, including pipelines, refining capacity, electrical power generation and transmission, and renewable energy production;

(C) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure; and

(D) for the Nation's economic security and balance of trade.

(2) AGENCY.—The term ''agency'' means any agency, department, or other unit of Federal, State, local, or tribal government, or Alaska Native Corporation.

(3) MINERAL EXPLORATION OR MINE PERMIT.—The term ''mineral exploration or mine permit'' includes plans of operation issued by the Bureau of Land Management and the Forest Service pursuant to 43 CFR 3809 and 36 CFR 228A respectively.

TITLE I—DEVELOPMENT OF DOMESTIC SOURCES OF STRATEGIC AND CRITICAL MINERALS

SEC. 101. IMPROVING DEVELOPMENT OF STRATEGIC AND CRITICAL MINERALS.

Domestic mines that will provide strategic and critical minerals shall be considered an ''infrastructure project'' as described in Presidential Order ''Improving Performance of Federal Permitting and Review of Infrastructure Projects'' dated March 22, 2012.

SEC. 102. RESPONSIBILITIES OF THE LEAD AGENCY.

(a) IN GENERAL.—The lead agency with responsibility for issuing a mineral exploration or mine permit shall appoint a project lead who shall coordinate and consult with other agencies, cooperating agencies, project proponents and contractors to ensure that agencies minimize delays, set and adhere to timelines and schedules for completion of reviews, set clear permitting goals and track progress against those goals.

(b) The lead agency with responsibility for issuing a mineral exploration or mine permit shall determine any such action would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 if the procedural and substantive safeguards of the lead agency's permitting process alone, any applicable State permitting process alone, or a combination of the two processes together provide an adequate mechanism to ensure that environmental factors are taken into account.

(c) The lead agency with responsibility for issuing a mineral exploration or mine permit shall enhance government coordination on permitting and review by avoiding duplicative reviews, minimizing paperwork and engaging other agencies and stakeholders early in the process. The lead agency shall consider the following best practices:

(1) Deferring to and relying upon baseline data, analysis and reviews preformed by State agencies with jurisdiction over the proposed project.

(2) Conducting reviews concurrently rather than sequentially to the extent practicable and when such concurrent review will expedite rather than delay a decision.

(d) At the request of a project proponent, the project lead of the agency with responsibility for issuing a mineral exploration or mine permit shall enter into an agreement with the project proponent and other cooperating agencies that sets time limits for each part of the permit review process including the following:

(1) The decision on whether to prepare a document required under the National Environmental Policy Act of 1969.

(2) A determination of the scope of any document required under the National Environmental Policy Act of 1969.

(3) The scope of and schedule for the baseline studies required to prepare a document required under the National Environmental Policy Act of 1969.

(4) Preparation of any draft document required under the National Environmental Policy Act of 1969.

(5) Preparation of a final document required under the National Environmental Policy Act of 1969.

(6) Consultations required under applicable laws.

(7) Submission and review of any comments required under applicable law.

(8) Publication of any public notices required under applicable law.

(9) A final or any interim decisions.

(e) In no case should the total review process described in subsection (d) exceed 30 months unless agreed to by the signatories of the agreement.

(f) The lead agency is not required to address agency or public comments that were not submitted during the public comment periods provided by the lead agency or otherwise required by law.

(g) The lead agency will determine the amount of financial assurance for reclamation of a mineral exploration or mining site, which must cover the estimated cost if the lead agency were to contract with a third party to reclaim the operations according to the reclamation plan, including construction and maintenance costs for any treatment facilities necessary to meet Federal, State or tribal environmental standards.

SEC. 103. CONSERVATION OF THE RESOURCE.

In developing the mineral exploration or mine permit, the priority of the lead agency shall be to maximize the development of the mineral resource, while mitigating environmental impacts, so that more of the mineral resource can be brought to the market place.

SEC. 104. FEDERAL REGISTER PROCESS FOR MINERAL EXPLORATION AND MINING PROJECTS.

(a) PREPARATION OF FEDERAL NOTICES FOR MINERAL EXPLORATION AND MINE DEVELOPMENT PROJECTS.—The preparation of Federal Register notices required by law associated with the issuance of a mineral exploration or mine permit shall be delegated to the organization level within the agency responsible for issuing the mineral exploration or mine permit. All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated and transmitted to the Federal Register from the office where documents are held, meetings are held, or the activity is initiated.

(b) DEPARTMENTAL REVIEW OF FEDERAL REGISTER NOTICES FOR MINERAL EXPLORATION AND MINING PROJECTS.—Absent any extraordinary circumstance or except as otherwise required by any Act of Congress, each Federal Register notice described in subsection (a) shall undergo any required reviews within the Department of the Interior or the Department of Agriculture and be published in its final form in the Federal Register no later than 30 days after its initial preparation.

TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO EXPLORATION AND MINE PERMITS

SEC. 201. DEFINITIONS FOR TITLE.

In this title the term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action affecting a mineral exploration or mine permit.

SEC. 202. TIMELY FILINGS.

A covered civil action is barred unless filed no later than the end of the 60-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 203. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 204. LIMITATION ON PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

SEC. 205. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–590. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. TONKO

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–590.

Mr. TONKO. 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 3, beginning at line 7, strike paragraph (1) and insert the following:

(1) STRATEGIC AND CRITICAL MINERALS.—The term ''strategic and critical minerals''—

(A) means—

(i) minerals and mineral groups identified as critical by the National Research Council in the report entitled ''Minerals, Critical Minerals, and the U.S. Economy'', dated 2008; and

(ii) additional minerals identified by the Secretary of the Interior based on the National Research Council criteria in such report; and

(B) shall not include sand, gravel, or clay.

Page 4, strike lines 1 through 6 and insert the following:

(1) MINERAL EXPLORATION OR MINE PERMIT.—The term ''mineral exploration or mine permit''—

(A) means a mineral exploration or mine permit for strategic and critical minerals; and

(B) includes any plan of operation for strategic and critical minerals that is issued by the Bureau of Land Management and the Forest Service.

The CHAIR. Pursuant to House Resolution 726, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Thank you, Madam Chair.

My amendment is very simple. It replaces the overly broad definition in H.R. 4402 with a definition that truly address the materials identified in the title of the bill: critical and strategic materials.

Since the realization that China was restricting exports of rare Earth metals in 2010, the issue of critical and strategic materials has reemerged as a concern. This isn't the first time Congress has considered our potential vulnerability to resource shortages. Just before World War II, Congress passed the Strategic and Critical Materials Stockpiling Act of 1939 to address our Nation's requirement for materials needed for national defense. We have expanded our notion of strategic and critical materials since that time to include civilian and economic needs for materials. But there is no precedent for the broad definition included in H.R. 4402. The military's current definition of strategic and critical materials in the U.S. Code is far narrower than the definition in this bill.

Nine of the ten bills introduced in this Congress dealing with strategic and critical minerals rely on definitions or specific lists of minerals that would conform to the definition in my amendment—not to the one in H.R. 4402. The definition in H.R. 4402 would include virtually all minerals and materials no matter how available they are. No other legislation proposes a definition that would consider sand and gravel ''critical'' materials.

The National Academy of Science panel looked at this issue in 2008. The panel specified two factors that define a mineral as critical: It is essential in use and subject to the risk of supply restriction. H.R. 4402's definition captures only the first factor that the Academy considered. The panel recognized that the list of critical materials was likely to change over time due to technological developments, usage patterns, changes in mineral reserves, and many other factors.

They developed a matrix that could be used to evaluate substances and used this matrix to examine a group of minerals that are in current high demand. Two dozen minerals were identified as critical in the NAS report. The rare Earth metals, the platinum metals, and several other minerals were included in their list. Oddly enough, sand, gravel, iron, copper—all useful materials, to be sure—did not make it to the list. The current definition in H.R. 4402 is unnecessary if the purpose is to secure additional critical minerals.

H.R. 4402 undermines the protection of our public lands and elevates mining above all other public land uses. If H.R. 4402 is truly a bill to address potential shortages of critical minerals, then my amendment should be adopted. Let's concentrate on the problem at hand: Securing additional rare Earth minerals and other truly critical minerals.

I urge my colleagues to support my amendment.

Mr. MARKEY. Will the gentleman yield?

Mr. TONKO. I will yield to the gentleman from Massachusetts.

Mr. MARKEY. I thank the gentleman for yielding.

So what is the majority doing in this bill? They're saying that sand is a ''critical'' material; gravel, clay. There's no crisis in the sand industry. We don't need to wad it down, the environmental protections for drilling for sand or gravel or clay. There is no crisis. That's what this whole bill is. It's a Trojan horse. It's moving in to undermine environmental protections where they're working and where there's no need to reduce them.

If they want to talk about scandium or europium or cerium or terbium or some other critical strategic material that we should be discussing out here that we need for cell phones or we need

for solar panels or we need for our defense systems, that's one thing. But that's not what this is about. This is about watering down environmental protections for sand and clay and endangering the health and well-being of the Nation for no reason whatsoever because there's no strategic relationship between those very prosaic minerals and our national security.

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

Mr. HASTINGS of Washington. Madam Chairman, I rise in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

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

Madam Chairman, this amendment attempts to pick which minerals are winners and losers in the Federal permitting sweepstakes. The underlying bill that we are talking about focuses on the permitting of mines that meet four clear categories of domestic need—and this is important—national security, energy infrastructure, domestic manufacturing, and our national economic balance of trade.

The amendment would restrict these down to just a 2008 study done by the National Research Council that took a limited and narrow look at only the aerospace, the electronic, and automotive industries when considering each mineral critical. However—and this is important, Madam Chairman—the report also states:

> All minerals and mineral products could be or could become critical to some degree, depending on their importance and availability. The criticality of a specific mineral can and likely will change as production technologies evolve and new products are developed.

The definition of the strategic and critical minerals in H.R. 4402 is written broadly—we acknowledge that—to allow for the most flexibility when carrying out the provisions of this act. Less than 10 years ago, people were concerned about platinum group metals used for computer and electronics and the pending shortfall of copper availability.

□ 1030

Today, the focus is primarily on the availability of rare Earth elements and rare Earth metals that are in China. Tomorrow, the shortage could be lithium for batteries, silica for solar panels, and any of a host of other minerals.

Interestingly, in this talk of sand and gravel, during the U.S. Geological Survey's great shakeout in California, which simulated a massive earthquake and the problems that could be faced, they discovered that there would be a shortfall of building materials—sand and gravel, Madam Chairman—if there were a major earthquake causing significant damage in the L.A. basin and the surrounding areas. I think that would be very critical if that were to happen. It happened in the last 25 years, twice in California and once in Minnesota.

Mineral production is a key economic activity supplying strategic and critical metals and minerals essential for agriculture, communication, technology, construction, health care, manufacturing, transportation, and the arts. More specifically, strategic metals and metal alloys are an integral component of aerospace, defense, and other critical infrastructure.

Minerals, Madam Chairman, are also necessary to satisfy the basic requirements of an individual's well-being, and that includes food, clothing, shelter and a clean and healthy environment. So we should not limit ourselves today by narrowly defining what is strategic and critical. That's precisely what this amendment does, and I think that's a wrong approach. So, with that, I would urge a ''no'' vote.

Madam Chairman, I understand that the gentleman yielded back his time; is that correct?

The CHAIR. The gentleman is correct.

Mr. TONKO. Madam Chair, I ask unanimous consent to reclaim my time.

Mr. HASTINGS of Washington. I urge a ''no'' vote on the amendment. I will reserve my time, and I will not object if the gentleman wants to reclaim his time.

The CHAIR. The gentleman from New York has asked unanimous consent to reclaim the 1 minute he has remaining.

Without objection, the request is granted.

There was no objection.

Mr. TONKO. Madam Chair, I appreciate that.

I just want to state clearly that the amendment itself embraces flexibility. It understands that if there are changes in time that are requiring the list to be adjusted, we would have the academy adjust that so that the flexibility is there recognizing that if, in the course of time, the change needs to be made, if we need to further extend the list, so be it. But the flexibility is contained in the amendment.

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

Mr. HASTINGS of Washington. I yield myself the balance of the time.

The CHAIR. The gentleman is recognized for 2 minutes.

Mr. HASTINGS of Washington. I am simply saying that this underlying bill lays out four strategic areas in which we should have minerals to support those areas. And then we say there should be a timeframe, a defined timeframe, in which, unless there is an agreement it should be longer, activity should be done. It's pretty straightforward. This amendment, as offered, would very narrowly say what is critical. I think that's the wrong approach.

So with that, I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

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

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

Mr. TONKO. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. HASTINGS OF FLORIDA

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–590.

Mr. HASTINGS of Florida. 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 7, strike lines 8 through 10 and insert the following:
>
> (e)(1) In no case should the total review process described in subsection (d) exceed 30 months unless—
>
> (A) agreed to by the signatories of the agreement, or
>
> (B) the lead agency has determined that an adequate review has not been completed due to issues arising not contained in the permit application or otherwise unforeseen by the signatories at the time of submittal of the permit application.
>
> (2) In a case described in paragraph (1)(B)—
>
> (A) the lead agency may extend the total review process by 6 months;
>
> (B) if, at the end of that 6-month period, the issues referred to in paragraph (1)(B) have not been adequately addressed, the lead agency may extend the total review process by an additional 6 months;
>
> (C) if at the end of that additional 6-month period the issues referred to in paragraph (1)(B) have not been adequately addressed, the lead agency shall issue its final determination on the permit application

The CHAIR. Pursuant to House Resolution 726, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Chair, despite the name of this bill, the underlying legislation has, in my judgment, little to do with securing a sufficient supply of rare Earth minerals for our country. Rather, it is another Republican giveaway to large, profitable companies that do not need congressional action to pad their bottom lines.

In fact, today's bill is so broadly drafted that it is not just rare Earth mines that will no longer have to adhere to our Federal environmental laws, but virtually any mine on public land anywhere, including silver, uranium and coal mines.

Mining operations have severe and permanent consequences for the land and residents living nearby. In fact, 75 percent of existing mines end up polluting the groundwater despite the designed mitigation plans. The need for a complete and thorough review of the environmental impact before approval is therefore absolutely necessary.

What's more, Madam Chair, is that this bill's underlying intent of loosening up the permitting process is not

even necessary. Mining is already the priority use for most public lands, which makes it virtually impossible to regulate and control. Mining on public lands is also already incredibly cheap. These companies pay little rent to the American taxpayer for the use of public land.

Moreover, under the Obama administration, 82 percent of plans are approved within 3 years, with an average of 4 years for the largest mines located on public lands. Any delays in permit approval usually stem from an incomplete application or problems that arise during review which were not anticipated and require supplemental information.

By giving the lead agency the option to extend the time period for review in the event of new information, my amendment makes sure agencies can get the job done right while still adhering to a predictable schedule. Prioritizing speed over accuracy—I learned early, as did all of us, that haste makes waste—as this bill does, guarantees that mining companies are able to drill additional mines at a faster rate with less consideration for the broader impact of those mines.

My amendment is necessary to give agencies the time they need to make sure that this bill will not compromise environmental protections that keep our drinking water safe, soil nourishing and nontoxic, and our air clean enough to breathe.

Madam Chair, I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Chairman, I rise in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

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

Madam Chairman, this amendment would reverse course on the goal of this legislation to streamline red tape. This amendment could add an entire year to the time allowed for the government to make a decision on a permit. This would then drag out the process 40 percent longer than provided for in the underlying bill.

The 30-month time period set by this legislation is accomplished by making government work more efficiently—and I, quite frankly, think that's what all Americans would like—by aligning some reviews and taking some actions concurrently.

Establishing a simple deadline for the government to do their job in a timely fashion is reasonable, and I think it is reasonable. This is especially true since it doesn't change the standards and requirements that must be met to get approval. It simply provides that an agency work efficiently while still complying with all, and let me emphasize all, environmental laws and regulations, studies, consultations, draft and file documents—all of them—that are required in order for a final record of decision to be issued on a mine plan. All the same review, but just in 30 months instead of what has been taking, in many cases, over a decade.

The underlying bill provides for flexibility on the 30-month permit timeline should a justifiable need arise for further analysis. Let me repeat: it allows for further time if that is needed. Yet this amendment would give a Federal agency an automatic excuse to prolong the process for a year, and there is no explanation that is needed.

So this amendment presents bureaucracy with a ''drag your feet for free'' card. It would hand over another roll of red tape to the government and invite them to string up more obstacles and delay job creators from getting a straight answer. And keep in mind, the 30-month time period that we're talking about simply says ''an answer shall be given.'' It could be negative; it could be positive.

This bill provides certainty for permit applicants by allowing the United States to be more competitive so that we can create more jobs here at home and produce more of the critical materials and minerals that are needed for our economy and therefore lessen our reliance on foreign sources.

□ 1040

So I oppose the amendment offered by my good friend from Florida, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Chair, I yield myself the balance of my time.

Madam Chair, I understand very clearly what my good friend from Washington is saying. My quarrel is in asking that the lead agency be given the option to extend the time, as I believe historically mining companies—who, under the underlying bill would have the right to sign off on the extension—are not likely to do that. There is no history showing that they do. They want to hurry up and get on with their mining business. When there are unpredictable kinds of circumstances, then it would seem to me that the lead agency would be the place that would determine the time for review.

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

Mr. HASTINGS of Washington. I yield myself the balance of the time.

In response to my friend, the legislation says that both sides have to agree. I think that's a good way. The gentleman says that there's no evidence of that. Well, there's no evidence that the contrary would work either.

So, to give more time—again, what we have heard over and over and over, and especially those Members and the author of this legislation who comes from a State that is heavily in the mining industry, the uncertainty is what the problem is. What this legislation does is provide certainty but flexibility. Now, I think that makes sense. If you probably walk to Main Street anyplace in America and said this is what the option is of a 30-month time period rather than up to 10 or more years, they would say, yeah, I think certainty makes a great deal of sense.

So this amendment offered by my good friend from Florida I think extends it, doesn't need to be there, and I urge a ''no'' vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

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

Mr. HASTINGS of Florida. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–590.

Mr. MARKEY. Madam Chair, I have an amendment in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 22, insert the following new subsection:

(h) The lead agency with responsibility for issuing a mineral exploration or mine permit for hardrock minerals on Federal land after the date of enactment of this Act shall require a royalty payment of 12.5 percent of the value of the minerals produced pursuant to the permit. Amounts received by the United States as such royalties shall be available to the Secretary of the Interior, subject to the availability of appropriations and in addition to amounts otherwise available, for abandoned hardrock mine lands reclamation.

The CHAIR. Pursuant to House Resolution 726, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

Madam Chair, I have an amendment in order today, and the reason I have it in order is that it's a very simple amendment. It would update an antiquated mining law to end the free ride that mining companies extracting minerals like gold and silver and uranium on public lands currently enjoy. It would then send that money to benefit Western States by dedicating the funding to cleaning up the more than 160,000 abandoned mines we have in the West.

The underlying bill would extend a host of new giveaways to the mining industry while doing nothing to ensure taxpayers are getting a proper return on these valuable minerals like gold and silver and uranium on public lands.

It is well past time to fix this law that was passed during the Presidency of Ulysses S. Grant in 1872. My amendment would require mining companies to pay taxpayers 12.5 percent of the value of these hard rock minerals taken off of the public lands. That is the same royalty rate that coal and oil

and natural gas companies pay to the Federal Government to mine and drill on public lands.

While mining companies pay no royalty on Federal lands to mine for gold and silver, they do pay a royalty on State lands that would abut those Federal lands. Twelve Western States already require mining companies to pay royalties up to 12 percent on mining on their State lands. Colorado charges up to 12 percent on minerals taken from their State lands. Utah, Wyoming, and California all charge up to 10 percent. Nevada charges up to 5 percent. But when it comes to mining on Federal lands, which could be right next door to the State lands, these multinational mining companies, they still get to play Uncle Sam for Uncle Sucker. They pay Federal taxpayers—all of the rest of us in the country—no royalties while reaping this massive windfall. So what my amendment would do is it would ensure that the States where this mining is occurring reap the benefits.

According to the GAO, there are more than 160,000 abandoned gold and silver and copper and uranium and other mines in the West. Some estimates put that number as high as 500,000 abandoned mines. These mines stopped production decades or, in some cases, more than a century ago and have no responsible parties to carry out the proper environmental remediation. The result is that the streams and the rivers, the aquifers, the soils continue to be contaminated by mercury and thorium and arsenic and other toxic pollutants. In fact, the GAO says that more than 33,000 mines are already a danger to the public health and environment. Arizona has some 50,000 abandoned hard rock mines; California has more than 47,000; Utah and Nevada have 17,000 and 16,000, respectively.

According to the Congressional Research Service, cleaning up abandoned mine sites can cost tens of millions of dollars per mine. Well, my amendment would generate nearly $400 million over the next 10 years that would be dedicated to cleaning up these sites. This would ensure that mining companies are paying their fair share to aid our Western States in cleaning up these dangerous and toxic sites.

At this point, I would like to reserve the balance of my time, Madam Chair.

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

The CHAIR. The gentleman is recognized for 5 minutes.

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

Madam Chairman, this amendment is directly contrary to the intent of this bill that would create new jobs in the United States and ensure a stable domestic supply of the critical minerals that are so important to our economy.

This amendment would impose an entirely new, retroactive fee on mining operations on Federal lands. It would impose a royalty that would be one of the highest of any country in the world and, thus, would probably drive more mining jobs overseas and put American manufacturing, once again, at risk.

In the past, when we've had this issue in front of the Natural Resources Committee, we've had Democrat witnesses that have testified that an 8 percent gross royalty was unprecedented in the world and would not make economic sense, and yet this amendment is talking about a 12.5 percent gross royalty.

In 2006, the World Bank report cautioned against gross royalty approaches as compared to ability-to-pay or profit-based approaches. Madam Chair, let me quote directly from that report:

> Nations should carefully weigh the immediate fiscal rewards to be granted from high levels of royalty against the long-term benefits to be gained from a sustainable mining industry that will contribute to long-term development, infrastructure, and economic diversification.

So they argue directly against this type of approach.

Let us keep our focus on what is important here today. We are dependent on foreign sources for minerals that sustain our economy.

We all know that the more you tax something, the less you get. That's what this approach is. I could take the gentleman's, my good friend from Massachusetts, math that he had out there and change it a little bit and say this is where there would be a lot of job losses if this amendment were adopted and this were to become law, because that's the area that would be affected, the Western part of the United States.

So, Madam Chair, I urge a ''no'' vote on this amendment, and I reserve the balance of my time.

□ 1050

Mr. MARKEY. Madam Chair, could you advise us as to how much time is remaining?

The CHAIR. The gentleman from Washington has 2½ minutes remaining. The gentleman from Massachusetts has 1 minute remaining.

Mr. MARKEY. I reserve the balance of my time.

Mr. HASTINGS of Washington. I yield 1 minute to the gentleman from Nevada (Mr. AMODEI), once again, the sponsor of this legislation.

Mr. AMODEI. Madam Chair, I appreciate the comments.

I would just like to point out, for the RECORD, since we're talking about Western abandoned mines, what's your definition of abandoned mine? Because if it's where somebody pushed up a little dirt and that's considered an abandoned mine, quite frankly, we're pretty proud in Nevada of the job that our Division of Environmental Protection has done on abandoned mine projects. We collaborate with the Feds.

Quite simply, I believe the phrase was used earlier today, it's a solution in search of a problem. We're getting on it. We're doing very well. And quite frankly, I hope the Chair is not on this committee, but when you see a 12½ gross proceeds tax subject to the appropriations process of my colleagues here, no thank you very much.

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

Mr. HASTINGS of Washington. Madam Chair, who has the right to close on this amendment?

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

Mr. HASTINGS of Washington. I would just advise the gentleman that I have no more requests for time.

Mr. MARKEY. Then I yield myself the balance of my time.

So this is a very simple amendment. What it says is this: that these big mining companies—and the ones I'm talking about have a market capitalization of $90 billion—well, they just have to pay to drill on public lands, Federal public lands.

Right now they're paying to drill on State public lands, and when they come over to the Federal public lands it's like free parking, free rent. You don't have to pay anything.

Well, where are you going? You're going to where it's free. And who's letting them have it for free? Uncle Sam. Uncle Sucker.

So what the Markey amendment says is we're going to raise $400 million, charging them to drill for these precious minerals on Federal lands, and we're going to give the $400 million over to the States so that they can clean up their old mines where there are environmental problems.

So if you care about the environmental problems in these Western States, here's your ability to send $400 million in, collected where the big companies are now paying nothing to mine on Federal lands, in order to help deal with environmental problems there. Not in Massachusetts, not in the East, but right here, right where this mining goes on, right where the environmental disasters occur.

Vote ''aye'' on the Markey amendment.

I yield back the balance of my time.

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

Once again, as that map is moving away, that's where the jobs would go if you add a gross tax to this activity.

Let me point out just an economic issue here. Like oil and gas, probably not quite the same, you really don't know if there's any minerals in the ground until you dig. And if you put a royalty of 12½ percent, you are going to discourage that activity.

What does that mean?

When you discourage that activity, it means the potential for job creation and mineral production in this country goes away.

Now, if that's the intent of some in this country and maybe some on the other side, okay, be honest about it.

I don't think that's the right approach, so I would urge my colleagues

to reject this gross tax amendment. And with that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. MARKEY. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. YOUNG OF ALASKA

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–590.

Mr. YOUNG of Alaska. Madam Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 22, insert the following:

(h) With respect to strategic and critical materials within a federally administered unit of the National Forest System, the lead agency shall—

(1) exempt all areas of identified mineral resources in Land Use Designations, other than Non-Development Land Use Designations, in existence as of the date of the enactment of this Act from the procedures detailed at and all rules promulgated under part 294 of title 36, Code for Federal Regulations;

(2) apply such exemption to all additional routes and areas that the lead agency finds necessary to facilitate the construction, operation, maintenance, and restoration of the areas of identified mineral resources described in paragraph (1); and

(3) continue to apply such exemptions after approval of the Minerals Plan of Operations for the unit of the National Forest System.

The CHAIR. Pursuant to House Resolution 726, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Chairman, this is a simple amendment. It addresses the roadless areas in national forests but, specifically, in Alaska. It does not overturn the roadless areas.

This is an attempt, as previously stated in this Congress, that highly mineralized areas would not be affected by the roadless area. It directly affects the Vulcan find of rare minerals, rare Earth.

And I have to address my colleagues for a sense. Now, right now China controls the rare Earths of this world. Yet, we have tremendous deposits in Alaskan lands and in other lands of this Nation. But rare Earth is the future of all this high technology that people do support, and the so-called things that we try to develop are from rare Earth.

It's wrong to have China control the price, control the quantity and availability for modern technology when we have our own. All we're asking in this is to make sure that an area that has high potential areas of rare Earth be accessible to the water.

And the rules of roadless area do not apply. They were exempted before. They should be exempted now. But a ruling in 2011 made this area unaccessible for the development of rare Earth for this Nation.

If you believe in the independence of this Nation, if you believe the importance of technology for the future, then you'll support this amendment. This is the right amendment for the right time to make sure we have this development.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for yielding. And I think that his amendment makes eminently good sense. It's exactly these sort of rulings that tie up our natural resources, and we should be utilizing them.

I think the gentleman has a good amendment, and I support it.

Mr. YOUNG of Alaska. I thank the gentleman.

Again, this is specific for an area of rare Earth that's for the future of this Nation. This amendment should be adopted, and I urge a ''yes'' on my amendment.

I reserve the balance of my time.

Mr. HOLT. Madam Chair, I rise in opposition.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Almost 15 years ago, the Forest Service began the process of reviewing the management of the last remaining, undeveloped forests, the so-called roadless areas.

In 2001, the Bush administration, yes, the George W. Bush administration, issued regulations to protect these areas in an effort recognized as one of the most far-reaching conservation initiatives taken by the Federal Government in decades.

Now, a decade later, after litigation, 60 million acres of our forests, and the clean water derived from those forests, are now protected from harmful development. Three hundred fifty four municipal water supplies flow through roadless areas on their way to homes and businesses. These areas include sacred sites for Native Americans. They include biological strongholds for fish and wildlife. The continued protection of these areas is something that people all over America care about.

I know the gentleman thinks that this is somehow infringing on Alaska. The point that must be made is this is in the national interest, and continued protection of these areas is common sense. It is what I know my constituents tell me they want.

For the record, there are already 380,000 miles of roads in the rest of our national forests, with only 20 percent maintained to adequate standards of safety.

The gentleman from Alaska offers an amendment that purports to waive the roadless rule for the purposes of mineral development. However, both the Forest Service and the Bureau of Land Management say that the current policy does not prevent mineral developers from accessing development sites in our forests. All the current policy requires is careful consideration before access for mining operations is permitted.

I recognize that southeast Alaska, we all recognize that southeast Alaska is a unique place that requires access by boat and helicopter. However, mine operators have been able to get the approval necessary for that access. This is a waiver that is overly broad, which Federal agencies tell us is unnecessary for the purposes purported here. And it just invites conflict where, for a decade now, there has been resolution.

□ 1100

Congress has debated the roadless policy for a decade—actually for many decades, but for a decade—and opponents of the policy have had their day in court. Congress, the public, and the courts agree that they have supported the protections, including protections for those holding valid existing mineral rights. This amendment is not necessary, and I urge its defeat.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, with all due respect, I enjoy people from Massachusetts and New Jersey talking about my State. It really always excites me that they really know a lot. They know nothing.

This roadless area was open for mining development; and, actually, exemptions of certain rules couldn't allow it. Last year, they said, no, this couldn't be done, having access to this rare Earth for the Nation—for the Nation—this small area. All they want to do is get to the water. What good is rare Earth for this Nation if you can't get to it? We might as well stake a claim on the Moon. I mean, this is 17 million acres of land that have already been set aside, all but 1 million acres. All I'm asking for is access for the American people, access to this mineral deposit for the American people for the future, for the technology that is needed so as not to be dependent on China.

Now, he may be representing China instead of New Jersey, and I respect that; but I'm talking about respect for this Nation. This amendment should be adopted for the good of the people of this Nation if you're thinking about the future. Ironically, that side offered an amendment to narrow this bill to only rare Earths. That amendment was offered, and I can't understand that.

All I'm saying is, if you want access to rare Earth, then pass this amendment. Make it good for the Nation. Let's not be listening to somebody who, very frankly, doesn't understand

the need—and this is a person who is a doctor, bless his heart, who understands the physical needs for the future, yet he says we're going to protect this little, narrow spot just to access water for the people of America. This is what this amendment does.

I'm trying to get something done for America. I'm not playing politics in this. It really doesn't affect Alaska to that extent other than the fact that it's in the State of Alaska. It does affect other States, but quite frankly, I want it for Alaska. It's my job. I'm not affecting New Jersey. I don't ever introduce an amendment or oppose anything for New Jersey. If he wants something in New Jersey, if he wants to drill in New Jersey, I'd support it. If he wouldn't want to drill in New Jersey, I wouldn't support it. If you follow what I'm saying, this is important for the people of America, and I urge the passage of this amendment.

I reserve the balance of my time.

Mr. HOLT. The gentleman is right, this affects more than Alaska. This affects the country at large. The roadless rule has been debated. It has been litigated. It should be considered settled.

The Young amendment, as the gentleman has explained, derives from his interest in having road access for mineral development in Alaska. Both the Forest Service and the Bureau of Land Management—I repeat—say that the current policy does not prevent the mineral developers from accessing development sites. We don't need to overturn a well-debated, well-litigated, settled matter of the roadless rule.

Just to be clear, the amendment that the gentleman from Alaska offers would exempt all areas of identified mineral resources in land use designations, et cetera, from the procedures detailed and the rules promulgated under title 36, Code of Federal Regulations.

This is sweeping and it is not necessary.

Again, I urge the defeat of this amendment, and I reserve the balance of my time.

The Acting CHAIR (Mr. SIMPSON). The gentleman from Alaska has 1 minute remaining. The gentleman from New Jersey has 30 seconds remaining.

Mr. YOUNG of Alaska. I yield 30 seconds to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

I just want to point out that the areas that this amendment affects have already been set aside for mineral development. I want to repeat that, Mr. Chairman: these have already been set aside for mineral development. That policy has not changed at all. All it ensures is that we are going to have access to it.

I just want to address the irony that the gentleman pointed out. This is for rare Earth. This particular one in his State is where we have rare Earth, and now they say they don't want it. There is some irony here, and I can't quite get my arms around it.

Mr. HOLT. Mr. Chair, of course we want this country to have the minerals that it's dependent on; but need I repeat again that the Forest Service and Bureau of Land Management say that current policy does not prevent mineral developers from accessing the development sites. This amendment is not necessary, and it would overturn very important resolutions that protect the public lands in the public interest.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Alaska has 30 seconds remaining.

Mr. YOUNG of Alaska. One last comment.

He says there is no restriction and that we can go ahead and mine this Earth. You can't develop it. It's that simple. All exploration had to be done by helicopter. There was no access by road. To develop it, we must have this road to water access. This is a good amendment. It provides this Nation with the right minerals that are necessary for future technology. We should adopt this overwhelmingly if you're thinking of the Nation instead of an interest group.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. CRAVAACK

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–590.

Mr. CRAVAACK. 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 7, after line 22, insert the following:

(h) This section shall apply with respect to a mineral exploration or mine permit for which an application was submitted before the date of the enactment of this Act if the applicant for the permit submits a written request to the lead agency for the permit. The lead agency shall begin implementing this section with respect to such application within 30 days after receiving such written request.

The Acting CHAIR. Pursuant to House Resolution 726, the gentleman from Minnesota (Mr. CRAVAACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. CRAVAACK. Today, I rise in support of my amendment, as well as in support of the underlying bill.

H.R. 4402 is a commonsense, pro-growth piece of legislation that would simply facilitate a timely permitting process for very important mining projects throughout the United States.

The United States cannot continue to depend on foreign countries to supply critical precious and rare Earth metals. This is a vital strategic disadvantage to the security of the United States. What happens if, one day, a supplying country decides it doesn't want to export or decides to restrict precious metals? What if our sea lanes become controlled by those who are not friendly to the United States? These mines are not something we can turn on and off at the flip of a switch.

These mines are multi-million if not billion, dollar projects that take years of capital investment just to get going. This bill is as much a strategic defense bill as it is a jobs bill. According to a University of Minnesota-Duluth study, 2.5 ancillary jobs are produced for every mining job. These are good-paying jobs that we cannot afford to lose.

My amendment will also allow mining projects that have already applied for a permit and are currently in the permitting process access to the new expedited procedures. My amendment falls along the same commonsense thinking that the underlying bill comes from, which is that 30 months is plenty of time to complete the total review process for permitting a mine. Currently, there are numerous projects in the permitting pipeline that have taken way too long and that still have no definitive end in sight.

One such project is in my district. PolyMet Mining initiated an environmental review of its proposed NorthMet copper and nickel mine back in 2005. Since then, the company has invested over $40 million for EIS inquiries. That is 7 years and counting for just environmental reviews. Another project that is just getting under way in the Eighth District is the Twin Metals project, which will also produce thousands of Minnesota jobs for both construction and long-term operations.

In a 2009 study, the University of Minnesota-Duluth found that more than 12,000 Minnesota construction jobs will be created in Minnesota if all strategic metal mining projects currently under study move forward.

□ 1110

In 2009, the UMD study also estimated that more than 5,000 direct long-term Minnesota mining jobs will be created when all strategic metal mining projects currently under study become operational.

Minnesota needs these jobs, and the country needs the minerals that these mines produce, and everyone needs a definitive permitting timeline that is reliable. Unfortunately, PolyMet is not a unique project. Seven years and $40 million is not even the worst example of inefficient permitting. Many other mining projects have been stalled for even longer due to inefficient and, at times, an agenda-driven permitting process.

Another example is the Montanore mine in Montana. It has been in the permitting process since 2003. The Montanore project was previously permitted by the State of Montana, the U.S. Forest Service, and other cooperating Federal agencies in 1993, following a full EIS process. The company chose not to proceed with the project until 2003 and has been working to obtain the same Federal permits since that time.

Mr. Chairman, I could give example after example of how inefficient and onerous our Federal permitting process is, but there's just not enough time to do so. These multiyear delays in processing Federal permits for many good projects are impeding thousands of jobs, massive investments across the country, and are blocking domestic production of much-needed rare Earth strategic and critical precious metals.

This amendment would ensure that these projects, like all future projects, are given a firm timeline that communities can count on while, at the same time, more than addressing concerns.

I urge passage of this amendment and the underlying bill.

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. CRAVAACK. I will be happy to yield to the gentleman from Washington.

Mr. HASTINGS of Washington. I thank the gentleman for his amendment.

This is, as he said in his opening remark: simply a commonsense approach that those that are in the process now should avail themselves of potential changes in law.

It is an excellent amendment, and I support it.

Mr. CRAVAACK. I thank the chairman, and I reserve the balance of my time.

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

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. This bill is ostensibly a bill that is supposed to be discussing rare Earth. It's supposed to be discussing strategic minerals that we can use in our competition to produce high-tech products that we're competing with the Chinese and others in order to produce in our country.

The kinds of strategic materials that we're talking about are scandium, cerium, europium, and terbium. These are not minerals that people ordinarily hear about. And from the high-tech manufacturing sector, we hear that they're central to their ability to be able to compete.

What the underlying bill would do is to reduce or eliminate the proper review of mining operations on public lands for virtually all types of minerals; not just for those rare Earths that I just mentioned, but also for gold, silver, uranium, and things like sand and gravel that are clearly—I think we should all be able to agree upon the fact that sand and gravel are not strategic minerals for our country. They're plentiful. They're available. We don't need to be watering down environmental laws in our attempt to be able to have enough sand and gravel and clay in the United States of America.

This amendment would not only allow for insufficient review for future mining operations, it would allow mining operations that are currently being reviewed to also escape proper scrutiny. Even worse, this amendment is drafted in such a way that it could potentially even apply to mining operations that already have been approved.

Following environmental review, mines sometimes have to put in place mitigation measures to protect the public health and the environment. Under this amendment, there is the potential that those companies could seek to have those mitigation measures thrown out. In an effort to save potentially millions of dollars, I understand what the company is trying to do. That might be good for that company, but it's not good for the environment or for the American people who already have mitigation agreements in place to protect against the mining company endangering the health, the well-being, and the water table of the area where the mining is going on. It wouldn't just cover europium; it would cover, potentially, gravel, sand, and other elements that clearly don't need that kind of protection.

This amendment would likely invite a hailstorm of litigation, which I would think that my colleagues on the other side would like to avoid. I would also like to think that my colleagues on the other side would rather have the Department of the Interior, the Forest Service, and other Federal agencies continue to move forward to approve new mines, not be bogged down relitigating mines that have already been approved.

This amendment makes a bad bill even worse and would have a number of unintended consequences that could invite litigation and actually delay the approval of future mines.

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

Mr. CRAVAACK. Mr. Chairman, I inquire as to the time I have remaining.

The Acting CHAIR. The gentleman from Minnesota has 30 seconds remaining.

Mr. CRAVAACK. Mr. Chairman, I would just like to remind our colleagues that mines aren't just permitted and then forgotten. They're constantly monitored.

The precious metals we're talking about go into our cell phones, our computers, our weaponry, and even our catalytic converters. We need these materials now, and we cannot be held ransom by China. May I remind you, 600 pounds of copper goes into every windmill.

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

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

Again, I understand the business plan here of these mining interests that don't even pay royalties to drill on the Federal lands of our country. Let's just continue this business plan. That's what they're saying to themselves. Maybe we can get it out of this Republican Congress. So, in addition to not paying, let's also have rules that say we're going to water down the environmental laws, as well, not only for europium and cerium and other rare Earths, but also for sand and for gravel and for clay. I understand. That's a great business plan.

It's not for the American people. They get watered-down environmental laws, and they also don't even get paid the royalties on the Federal lands of our country. It's just one big, bad deal for the United States taxpayers, and I urge a ''no'' vote on this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–590.

Mr. HASTINGS of Florida. 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 10, line 4, before ''Sections'' insert ''(a) IN GENERAL.—''.

Page 10, after line 9, add the following:

(b) LIMITATION ON APPLICATION.—Subsection (a) does not apply to a covered civil action filed by—

(1) a not-for-profit organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

(2) an individual.

The Acting CHAIR. Pursuant to House Resolution 726, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, this bill is an irresponsible giveaway to the mining industry that has taken enormous profits at American taxpayer expense.

One section in particular is extremely disturbing. Section 205 of the bill eliminates awarding of attorneys' fees to litigants bringing successful legal challenges against certain agencies' actions, like the issuance of a mining permit.

Eliminating the possibility of fee shifting makes litigation prohibitively expensive for groups and individuals that don't have the deep pockets of large corporate entities. Indeed, the whole reason fee shifting exists in the first place is so that a party does not

have to be wealthy in order to file a lawsuit.

Justice should be accessible to all, regardless of their individual financial circumstances. Eliminating the awarding of attorneys' fees means that the traditional parties for these kinds of lawsuits, such as nearby landowners, small business owners, and environmental groups, will no longer be reimbursed for the cause of successfully litigating a claim.

The only reason to eliminate this fee shifting is to discourage parties from filing these kinds of suits.

Who is the biggest beneficiary of reducing the number of permit challenges? The permit-holding mine companies, of course. Since litigation can be extremely expensive, these cash-strapped plaintiffs usually only bring those lawsuits with the most likelihood of success because they literally cannot afford to lose.

□ 1120

Eliminating the awarding of attorneys' fees will increase the predictability of the permitting process only by stifling access to the courts.

Mr. Chairman, my amendment creates an exception for the awarding of attorneys' fees to successful challenges submitted by either individual citizens or nonprofit entities so that justice in this country is not reserved for only those who can afford the hefty entrance fee.

I reserve the balance of my time.

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

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

Mr. HASTINGS of Washington. I yield 3 minutes to the gentleman from Arizona (Mr. QUAYLE).

Mr. QUAYLE. I thank the gentleman for yielding.

Mr. Chairman, I oppose this amendment, because it would have allowed ideological special interest groups to block mining permits through lawsuits funded by taxpayer dollars.

The Equal Access to Justice to Act of 1980 is a law in need of reform. Recognizing the Federal Government's vast resources, it was intended to help protect small businesses, charities and ordinary Americans from unreasonable litigation or administrative proceedings.

To this end, the EAJA allows individuals with a net worth of under $2 million and businesses worth less than $7 million to collect attorneys' fees up to $125 per hour. Last year the Judiciary Committee Subcommittee on Courts, Commercial and Administrative Law held a hearing on the need for EAJA reform.

The subcommittee learned that particular groups, particularly environmental organizations, are aggressively exploiting the EAJA. The EAJA exempts all not-for-profit organizations from the net worth cap, and it allows attorneys' fees over $125 per hour if a special factor justifies such an award.

Well-heeled environmental organizations take full advantage of these provisions to collect large awards for attorneys' fees. For example, the Center for Food Safety recently awarded more than $2.6 million under the EAJA, with its lead counsel compensated at a rate of $650 per hour. It's a good gig if you can get it.

Simply by reviewing public court records, a witness of the subcommittee's hearing found that 20 environmental organizations collected $5.8 million in fees between September 1, 2009, and August 31, 2010.

The EAJA was meant to help give small businesses, charities, and ordinary citizens a fighting chance against the Federal Government. Considering the pressing need for reform, the National Strategic and Critical Minerals Production Act of 2012 was wisely written to prevent any organization or straw man plaintiff who was a member of and whose attorneys may be paid by such an organization from slowing down the permitting process or advancing its ideological agenda in court using public money.

Now, of course, they can still bring suit, but not on the taxpayers' dime.

For these reasons, I oppose this amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. HASTINGS of Washington. May I inquire how much time remains?

The Acting CHAIR. The gentleman from Washington has 2½ minutes remaining.

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

I just want to make a point here. The Natural Resources Committee I have the privilege to chair has been investigating the payment of attorneys' fees and court costs to revolving door plaintiffs in environmental lawsuits.

For example, we have learned that based on information that's supplied by the Department of Justice, over $2 million in taxpayer dollars have been paid to a single organization, the Center for Biological Diversity, and they have done that for 50 lawsuits that have been filed under a single environmental statute.

This organization, which would qualify, by the way, for payments if the gentleman from Florida's amendment is adopted, they have offices in 15 States and they pay their executive director in the six figures. The question arises: Why should taxpayers be paying for their attorneys?

It seems like these lawsuit-happy environmental groups make a living from suing the Federal Government. When they sue the Federal Government, they divert resources from the Federal Government to carry out its statutory duties when it comes to environmental issues or permitting issues or whatever. I think that this amendment is ill advised by singling out some people that should not be covered.

I urge rejection of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was rejected.

AMENDMENT NO. 7 OFFERED BY MR. GRIJALVA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–590.

Mr. GRIJALVA. 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:

Add at the end the following:

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. PROTECTION OF HUNTING, FISHING, GRAZING, AND RECREATION.

This Act shall not apply with respect to any mineral exploration or mining permit a lead agency determines would diminish opportunities for hunting, fishing, grazing, or recreation on public lands.

The Acting CHAIR. Pursuant to House Resolution 726, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, my amendment states that nothing in this bill should diminish opportunities for hunting, fishing, grazing, or recreation on public lands.

H.R. 4402 would elevate the interests of the mining industry above all others. This legislation contains language requiring that the priority of the Federal Government ''shall be to maximize the development of the mineral resources, while mitigating environmental impacts, so that more of the mineral resources can be brought to the marketplace.''

This legislation would put mineral extraction on public lands above all other uses, jeopardizing hunting, fishing, livestock grazing, outdoor recreation, and many other critical uses of our public lands.

When open pits cover the American West, tourists to Arizona may have another Grand Canyon to visit. This time, instead of marveling at the geologic forces that over the courses of millions of years shaped one of the Nation's most awe-inspiring sites, they will be forced to ponder chains of man-made chasms left behind by unaccountable mining companies. My amendment will make sure that other important uses are not pushed aside, that all Americans continue to have access to their public lands.

In fact earlier this week the Department of the Interior issued a report on the agency's economic contributions to the Nation. Many of these contributions come from uses other than mining. In 2011, there were over 435 million recreational visits to Interior-managed lands. This activity contributed $48.7 billion in economic activity and supported approximately 403,000 jobs nationwide, including 14,000 jobs in my home State of Arizona. By elevating the interests of mining companies

above hunters, anglers, and ranchers, as H.R. 4402 would do, we threaten that revenue that local communities have come to rely on.

Last month we considered so-called urgent legislation from the majority here on the House floor that was billed as vitally necessary to protect hunting and fishing on public lands. Now my colleagues on the other side of the aisle are doing just the opposite by elevating mining on our public lands above hunting and fishing. It seems that when the majority was fishing around for new sweetheart deals and ways to help the mining, oil, and gas industry, they decided to forget about their commitment the previous month to the hunting and angling communities.

My amendment would in no way hamper mining on Federal lands. It would simply reaffirm that we should not bury the other important uses of our public lands below energy development, as the underlying bill would do.

Our public lands belong to the American people and have many important uses. We should not undermine the ability of the American people to hunt and fish on public lands by destroying the current law.

I can't get my head around the idea that the mining industry will have first use above all other uses on our public lands while paying no royalties to the American taxpayer. On top of that, the bulk of the resources taken from our public lands is exported worldwide to countries like China.

Multinational mining companies get our resources free of charge while visitors have to pay a user fee to use some of our public lands. Now their needs are not as important to the Republicans as free access for the mining interests in this country.

It's very sad and ironic. I would urge a ''yes'' vote on my amendment to maintain a balance for the American people in their use of their public lands.

With that, I reserve the balance of my time.

Mr. HASTINGS of Washington. I rise in opposition to this amendment.

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

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

Mr. Chairman, this is an anti-mining, anti-jobs amendment, and it is not a pro-sportsman amendment.

I believe strongly in multiple uses of our Federal lands. It is something that as chairman of the Natural Resources Committee, I take very, very seriously, and multiple means economic activity and recreational activity.

□ 1130

Earlier this year, this House worked to promote legislation advocating hunting and fishing on Federal lands. It was primarily aimed at promoting and protecting sportsmen's access to Federal lands. Sportsmen's access includes hunting and fishing. This bill had strong bipartisan support from most of America's sportsmen's organizations, and it received strong bipartisan support here in this body. However, Mr. Chairman, I must note that the sponsor of this amendment, my good friend from Arizona, opposed that bill that was for hunting and fishing for sportsmen.

Federal Land Management allows one use to be disrupted to ensure that we make the best and highest use of our lands. That's common sense. If the best use is rare Earth mining to secure our Nation against foreign resource nationalism and so forth, we should use the land for that. While at the same time that mine is being developed, we allow for mitigation to balance out disturbance of other activities. If a company disturbs an acre here, they can mitigate that with an acre there. The amendment completely ignores that reality.

So we should call this amendment for what it is. It's an attempt to stop mining on Federal lands, which, of course, will make us more dependent on foreign minerals. This amendment contradicts the express purpose of this legislation, which is to require the lead agency responsible for permitting strategic and critical mineral exploration and mining projects to reduce the permitting timelines through better coordination. This amendment would empower a Federal agency to unilaterally choose to red-tape another process that can take—which we've seen in the past—up to a decade long to complete a permitting process.

As a matter of fact, I might say, Mr. Chairman, the only effect of this amendment and other amendments that we've heard is to protect bureaucratic red tape, which is what the underlying bill wants to streamline. It makes sense. But every amendment we've heard coming from the other side seems to want to protect that point.

So this amendment falls under that same category. It does not deserve our support. I urge rejection, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, can I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. GRIJALVA. I yield the balance of my time to my good friend from New Mexico and a member of the Natural Resources Committee, Mr. LUJÁN.

Mr. LUJÁN. This amendment is straightforward. It's about protecting hunting and fishing. That's how simple this is. Sadly, a similar amendment was rejected by the Rules Committee, who had a similar debate over oil and gas leasing. But I rise in strong support of the Grijalva amendment, and I urge my Republican colleagues to take a step back and consider the true impacts their policies are having on public lands.

Public lands are just that: lands for the public to enjoy and use for the great benefits that they provide. Generations of New Mexicans have used our State lands for hunting, fishing, recreation, and grazing. Mineral development is important, but let's do it where it makes sense.

We have seen bill after bill on this floor that are giveaways to Big Oil companies, mining companies, and corporate interests that don't consider the long-term detrimental impacts to wildlife habitat and public use for recreational use. Today's bill would require the Federal Government to maximize the development of mining on public lands and limit access to land for hunting, fishing, and recreational shooting. All the Grijalva amendment says is let's protect that little area.

This is a bad bill to hunters, anglers, and ranchers, and I urge support of the Grijalva amendment to H.R. 4402 to protect our access to public lands.

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

I would just simply say that this is an amendment, as I mentioned in my earlier remarks, that simply is antimining at its best, because there is, in current law, a procedure for giving higher access to certain activities and then there is the mitigation process. But to suggest that this is something that would protect sportsmen defies logic. As a matter of fact, Mr. Chairman, the NRA has come out against the Grijalva amendment.

So with that, I urge a ''no'' vote on the amendment, 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. GRIJALVA).

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

Mr. GRIJALVA. 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.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–590 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. TONKO of New York.

Amendment No. 2 by Mr. HASTINGS of Florida.

Amendment No. 3 by Mr. MARKEY of Massachusetts.

Amendment No. 4 by Mr. YOUNG of Alaska.

Amendment No. 7 by Mr. GRIJALVA of Arizona.

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

AMENDMENT NO. 1 OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO)

on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 162, noes 251, not voting 18, as follows:

[Roll No. 462]

AYES—162

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

NOES—251

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
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 (FL)
Young (IN)

NOT VOTING—18

Ackerman
Akin
Bishop (UT)
Cardoza
Coble
Connolly (VA)
Costa
Dicks
Gallegly
Gutierrez
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Murphy (PA)
Rush
Welch

□ 1158

Messrs. FRELINGHUYSEN, McINTYRE and TURNER of Ohio changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) 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 162, noes 252, not voting 17, as follows:

[Roll No. 463]

AYES—162

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

NOES—252

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner

Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—17

Ackerman
Akin
Bishop (UT)
Cardoza
Coble
Costa
Dicks
Gallegly
Gutierrez
Hanna
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Rush
Velázquez

□ 1203

Mr. TURNER of Ohio changed his vote from ''aye'' to ''no.''

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) 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 163, noes 253, not voting 15, as follows:

[Roll No. 464]

AYES—163

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

NOES—253

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hinojosa
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
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 (FL)
Young (IN)

NOT VOTING—15

Ackerman
Akin
Bishop (UT)
Cardoza
Coble
Dicks
Gallegly
Hirono
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Ribble
Rush

□ 1207

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. HIRONO. Mr. Chair, on rollcall No. 464, the Markey amendment, had I been present, I would have voted ''aye.''

AMENDMENT NO. 4 OFFERED BY MR. YOUNG OF ALASKA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 178, not voting 15, as follows:

[Roll No. 465]

AYES—238

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Hirono
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
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)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—178

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

NOT VOTING—15

Ackerman
Akin
Bishop (UT)
Cardoza
Coble
Davis (IL)
Dicks
Gallegly
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Ribble
Rush

□ 1211

Mr. POE of Texas changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. CONYERS. Mr. Chair, during rollcall vote No. 465 on H.R. 4402, the Young (AK) Amendment, I mistakenly recorded my vote as "aye" when I should have voted "no."

Ms. HIRONO. Mr. Chair, I intended to vote "no" on rollcall vote No. 465, the amendment offered by my friend Congressman YOUNG of Alaska.

AMENDMENT NO. 7 OFFERED BY MR. GRIJALVA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 248, not voting 16, as follows:

[Roll No. 466]

AYES—167

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

NOES—248

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)

Hultgren
Hunter
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—16

Ackerman
Akin
Bishop (UT)
Cardoza
Coble
Dicks
Gallegly
Hinojosa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Rush
Ryan (OH)
Smith (WA)

□ 1214

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. WEST). The question is on the 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. SIMPSON) having assumed the chair, Mr. WEST, 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. 4402) to require the Secretary of the Interior and the Secretary of Agriculture to more efficiently develop domestic sources of the minerals and mineral materials of strategic and critical importance to United States economic and national security and manufacturing competitiveness, and, pursuant to House Resolution 726, 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 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

Ms. SLAUGHTER. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. SLAUGHTER. In its present form, I am.

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

The Clerk read as follows:

Ms. Slaughter moves to recommit the bill H.R. 4402 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Page 9, after line 2, insert the following:

SEC. 105. PROHIBITION ON ISSUANCE OF PERMITS TO PERSONS, CORPORATIONS, AND SUBSIDIARIES THAT ARE DELINQUENT ON TAXES.

No Federal mineral exploration or mine permit shall be issued pursuant to this Act to a person, corporation, partnership, trust, or other form of business organization that has failed to pay any tax required under State or Federal law, or to a subsidiary of such a corporation, partnership, or other form of business organization.

SEC. 106. PROHIBITIONS REGARDING CHINA AND IRAN.

(a) PROHIBITION ON EXPORT.—Each Federal mineral exploration or mine permit issued pursuant to this Act shall include provisions that prohibit export to the China or Iran of strategic and critical minerals produced under the permit.

(b) PROHIBITION ON ISSUANCE OF PERMITS.—No Federal mineral exploration or mine permit may be issued pursuant to this Act to—

(1) any company in which China or Iran has an ownership interest; and

(2) any person (including any successor, assign, affiliate, member, or joint venturer with an ownership interest in any property or project any portion of which is owned by such person) that is in violation of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) or the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.).

(c) PRESIDENTIAL WAIVER OF PROHIBITIONS WITH RESPECT TO CHINA.—The President may waive the prohibitions under subsections (a) and (b) with respect to China upon certification that the Government of China has removed its export restraints on strategic and critical minerals.

SEC. 107. PERMIT REQUIREMENTS REGARDING USE OF AMERICAN MINING EQUIPMENT AND OUTSOURCING OF AMERICAN JOBS.

Each Federal mineral exploration or mine permit issued pursuant to this Act shall include provisions that—

(1) require, to the extent practicable, that all mining equipment used under the permit must be manufactured in the United States; and

(2) prohibit the permit holder from outsourcing American jobs.

Ms. SLAUGHTER (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 5 minutes on her motion.

Ms. SLAUGHTER. Mr. Speaker, we've just concluded debate on a bill that will make it easier for the mining industry to profit from digging up valuable minerals on land owned by the American taxpayer.

□ 1220

What would the American people get in return? Nothing, except poorer public health, a dirtier environment, and fewer opportunities for hunting, fishing, and recreation.

Instead of the bill we are considering today, we should be amending the statute that was signed into law by Ulysses S. Grant. Can you imagine that? The mining law of 1872, which is our mining law today, gives away the valuable minerals we should be saving for ourselves or, at the very least, getting some revenue from. But no, 140 years later, we still have this bill which has long outlived its usefulness.

Over the 25 years that I've served in Congress, every attempt to repeal this law has failed. Today, we compound the problem by voting on legislation that will give even more power to mining interests. Adding insult to injury, the companies benefiting from this bill can continue to take minerals owned by the American taxpayers royalty free, even if they're foreign companies and even if they have cheated or are delinquent on their taxes.

There is still time to fix three of the most glaring loopholes contained in this bill, and my amendment does just that. It will not kill the bill, and we will immediately move forward with the final vote on its passage. However, if adopted, my amendment will insert safeguards into the final legislation to protect our national security and to protect American jobs.

First, my amendment prevents mining contracts from being awarded to companies that have failed to pay their taxes. Last week, the Las Vegas Sun reported that mining companies in Nevada have underpaid their taxes by $8.7 million since 2008. At a time when cities and towns across America are going bankrupt and we're facing disaster in many areas of the country and some in Congress threaten to cut Medicare and food stamps in the name of fiscal responsibility, we must and should hold corporations accountable for the taxes they owe to the American people. If mining companies are to profit from our natural resources, they must be required to pay their fair share.

I'm the author of the Reciprocal Market Access Act, a bipartisan bill that would finally put an end to the wholesale exporting of American manufacturing jobs to China. My amendment

today echos this plan. With the passage of this amendment today, we would make sure that the door is closed when China comes knocking to profit from our precious natural resources.

Finally, my amendment protects American jobs by prohibiting outsourcing and requiring mining companies to use mining equipment made in the United States. Isn't that little enough to ask?

The sweat and blood of middle class Americans built the United States, and it's time this Congress put their interests first. With my amendment today, we can do just that, by putting in place safeguards that will protect American jobs and ensure that mining equipment is made in America.

I'm introducing my amendment on behalf of the people of Rochester, New York. Some of the greatest workers that the country has ever known live there. My constituents are among the 300 million rightful owners of our Nation's natural resources, and not a single one of them wants this Congress to simply give them away to China or outsource precious American jobs.

Over the last 2 years, the majority has consistently pandered to corporate interests. Listen to this, because we've been very concerned this week with how many times we voted to repeal health care. Try this one on. We have voted more than 100 times this term, the last 18 months, over 100 times to benefit the oil industry. As demonstrated last night by a wonderful CBS News program, it costs millions and millions of dollars. They estimate that just the health care votes over and over cost the taxpayers $50 million.

Last year, we voted—as you remember, I voted against it, of course—to give Federal land to a single foreign mining company that has ties to Iran's nuclear program. That was mining of uranium, free, about 8 miles from the Grand Canyon. I don't know how much more stupid we can get. I think it is absolutely obvious to us that a law passed in 1872 is nowhere near adequate for what we need today.

I urge a ''yes'' vote on this amendment to protect American workers, American resources, and to protect our friends who are extremely worried about Iran by making sure that they do not benefit at all.

Mr. Speaker, we've just concluded debate on a bill that will make it easier for the mining industry to profit from digging up valuable minerals on land owned by the American taxpayer. And what would the American people get in return? Nothing except poorer public health, a dirtier environment, and fewer opportunities for hunting, fishing and recreation.

Instead of the bill we are considering today, we should be amending the statute that was signed into law by Ulysses S. Grant in 1872. In an effort to spur development of the West, the law gave almost unlimited power to mining companies. 140 years later, this law has outlived its usefulness, yet over the 25 years I've been in Congress, every attempt to repeal this law has failed. Now today, we compound the problem by voting on legislation that will give even more power to mining interests.

Adding insult to injury, the companies benefitting from this bill can continue to take minerals owned by American taxpayers—royalty-free—even if they're foreign companies, and even if they have cheated on their taxes.

There is still time to fix three of the most glaring loopholes contained in this bill, and my amendment does just that. The amendment will not kill the bill, and we will immediately move forward with a final vote on its passage.

However, if adopted, my amendment will insert safeguards into the final legislation that will protect our national security and protect American jobs.

First, my amendment prevents mining contracts from being awarded to companies that have failed to pay their taxes. Last week, the Las Vegas Sun reported that mining companies in Nevada have underpaid their taxes by $8.7 million since 2008. At a time when cities and towns across America are going bankrupt, and some in Congress threaten to cut Medicare and other vital programs in the name of fiscal responsibility, we must hold corporations accountable for the taxes they owe to the American people. If mining companies are to profit from our natural resources, they must be required to pay their fair share.

Second, my amendment ensures that neither Iran nor China is allowed to profit from today's bill. Under my amendment, mineral resources deemed critical or strategic will be prohibited from export to Iran or China. No company that is owned by Iran or China will be allowed to mine American minerals, and under no circumstances will American minerals be exported to either of these nations.

In an age when Iran is threatening the security of our ally Israel, and the stability of the entire Middle East, this Congress must ensure that not a single American resource goes to supporting the dangerous Iranian regime. My amendment would leave no doubt that the United States stands by our allies and that not an ounce of American minerals ends up in Iranian hands.

Furthermore, as my constituents know all too well, China routinely engages in unfair and anti-competitive behavior that has stolen American jobs and weakened our middle class. It is time that this Congress, and this country, stops the decades-long giveaway to China.

I am the author of the Reciprocal Market Access Act, a bipartisan bill that would finally put an end to the wholesale exporting of American manufacturing jobs to China, and my amendment today echoes this plan. With passage of my amendment today, we would make sure that the door is closed when China comes knocking to profit from our precious natural resources.

Finally, my amendment protects American jobs by prohibiting outsourcing, and requiring mining companies to use mining equipment that is made in the United States.

The sweat and blood of middle class Americans built the United States, and it is time that this Congress put their interests first. With my amendment today, we can do just that, by putting in place safeguards that protect American jobs and ensure that mining equipment is made in the USA.

I am introducing my amendment on behalf of the people of Rochester NY—they are some of the greatest workers that the world has ever known. My constituents are among the 300 million rightful owners of our Nation's natural resources, and I know that not a single one of them wants this Congress to simply give away our valuable assets to China, or outsource precious American jobs.

Over the last 2 years, the Majority has consistently pandered to corporate interests. The Majority has voted more than 100 times to benefit the oil industry, and even voted last year to give away Federal land to a single foreign mining company that has ties to Iran's nuclear program.

The Majority has also answered the wishes of the health insurance industry, including voting more than 30 times to dismantle historic healthcare reforms. They've continued this corporate care-giving right up until today as we prepare to vote on a bill that is a giveaway to corporate mining interests.

What we should be doing is voting on a jobs bill that helps people, not fattens corporate profits. But if the Majority insists on moving forward with flawed bills, we can at least close loopholes in order to protect the American people. By fixing three vital flaws within today's bill, my amendment will allow each of us to vote for our constituents and stand up for the middle class.

Again, my amendment will not kill the bill. If my amendment is adopted, the bill as amended will immediately be voted upon. I urge my colleagues to support my amendment, and stand with me as I fight to protect our natural resources and American-made jobs.

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

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

Mr. HASTINGS of Washington. Mr. Speaker, the underlying bill is about American jobs and not only American mining jobs. Our manufacturing sector, as part of it, uses the minerals from these mining jobs. So it is much broader than that.

I have to comment on the tone here that we've heard over and over from the other side on this issue. The bill streamlines the bureaucracy and red tape. Every amendment that was offered today and the tone of all of their debate on this was to side with the bureaucracy that imposes more red tape.

What is even more ironic is that this is about mining in America. The arguments from the other side all day were ''don't mine in America.'' What's the motion to recommit? Don't sell what we're going to mine in America. They didn't want to mine in the first place, and now they're saying we can't sell it if we mine it. It doesn't make any sense.

Mr. Speaker, this is a jobs bill for American workers. I urge rejection of the motion to recommit and ''yes'' on the underlying bill, and I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Ms. SLAUGHTER. 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 181, noes 231, not voting 19, as follows:

[Roll No. 467]

YEAS—181

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

NAYS—231

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

NOT VOTING—19

Ackerman
Akin
Bishop (UT)
Cardoza
Carter
Coble
Dicks
Flores
Gallegly
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Marchant
Rush
Scott, Austin
Towns
Woodall

□ 1243

Mr. YODER changed his vote from ''yea'' to ''nay.''

Messrs. COSTELLO, GONZALEZ, PETERSON, and BOREN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 467 I was unavoidably detained. Had I been present, I would have voted "nay."

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. MARKEY. Mr. 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 256, noes 160, not voting 15, as follows:

[Roll No. 468]

AYES—256

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hochul
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
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 (FL)
Young (IN)

NOES—160

Andrews
Baca
Baldwin
Barber
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)

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

NOT VOTING—15

Ackerman
Akin
Bishop (UT)
Cardoza
Coble
Dicks
Gallegly
Jackson (IL)
Jackson Lee (TX)
Jenkins
Lowey
Lummis
Reyes
Rush
Serrano

□ 1250

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. AKIN. Mr. Speaker, on rollcall No. 468, had I been present, I would have voted "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 835

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.R. 835.

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

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3001. An act to award a Congressional Gold Medal to Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

H.R. 4155. An act to direct the head of each Federal department and agency to treat relevant military training as sufficient to satisfy training or certification requirements for Federal licenses.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Madam Speaker, I yield to the gentleman from Virginia, the majority leader, for the purposes of inquiring about the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Madam Speaker, on Monday, the House is not in session. On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Madam Speaker, the House will consider a number of bills under suspension of the rules, a complete list of which will be announced by the close of business tomorrow.

In addition, the House will consider H.R. 5872, the Sequestration Transparency Act, sponsored by Congressman JEB HENSARLING. This is a bill that will bring needed transparency to the administration's process for implementing devastating cuts to our national defense and many social programs on January 2. Chairman PAUL RYAN and the Budget Committee passed this bill in a bipartisan fashion, so I expect it to be brought up under suspension of the rules.

Finally, and in keeping with funding our national security, the House will consider H.R. 5856, the Department of Defense Appropriations Act, sponsored by Congressman BILL YOUNG. This will be the House's seventh appropriations bill of the year.

I expect the defense funding bill to be on the floor for the balance of the week. Members should be aware that late evening votes are possible on Wednesday, July 18, and Thursday, July 19.

Mr. HOYER. I thank the gentleman for that scheduling information.

As the gentleman knows, we have, as I calculate, 12 legislative days left to go in July and the beginning of August, of which 3 of those days we will be coming in at 6:30. As a result, we don't have much time left, and I would ask the gentleman if there is any expectation of having bills other than the regulatory—I understand one of those weeks will be the regulatory week. Other than the regulatory bills, will we have any jobs legislation on the floor?

Mr. CANTOR. I thank the gentleman for the question.

Madam Speaker, we've been, as the gentleman knows, very transparent about scheduling the floor, sending out a memo making Members aware of where we're headed for the remainder of the July period. I would say to the gentleman that, after next week, we will be focusing on cutting red tape, reducing the regulatory burden on our job creators. As we know, the regulatory atmosphere in this country is making it more difficult and more expensive for small businesses and large to create jobs. We'll be focusing on that.

The following week, Madam Speaker, will be the week in which we will bring forward a piece of legislation to stop the tax hikes to ensure that all Americans know we are not going to see taxes go up for them at the end of this year.

In addition to that, we'll bring forward a bill that will be focused on how we get to a pro-growth tax system in this country, laying out the principles for tax reform and suggesting an expedited procedure so that we can actually achieve results for the American people so that our job creators and working families can get back to work.

Mr. HOYER. I understand the gentleman's answer, and I think we have consensus on this floor about cutting red tape and facilitating decisions by the Federal Government or by the State government or by local government. We have all heard that complaint throughout our careers. I think that's a legitimate concern for us to have. However, when I ask about a jobs bill, the gentleman responds on a couple of levels.

I think I may have mentioned this before, but what concerns me is that Bruce Bartlett, whom I think the gentleman probably knows, a former President Reagan and President H. W. Bush administration official, says that no hard evidence is offered for the claim that regulatory issues have increased. But he says that Republicans have embraced ''the idea that government regulation is the principal factor holding back employment. They assert that Barack Obama has unleashed a tidal wave of new regulations, which has created uncertainty among businesses and prevents them from investing and hiring.''

□ 1300

As I said, he says no hard evidence is offered for this claim. He then says:

> In my opinion, regulatory uncertainty is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the business community year in and year out. In other words, it's a simple case of political opportunism, not a serious effort to deal with high unemployment.

Now, that's his opinion, I understand that. But my concern is, if you ask an economist whether or not many of the pieces of legislation we've passed that we've called jobs bills—the gentleman's pointed that out—economists say in the short term—which is really what

we need to deal, we need to deal in the short term and the long term—is not going to create jobs. This week, we haven't done anything to create jobs.

By the way, might I ask the gentleman, because I didn't see it next week, do we expect a 32nd or a 33rd vote on repealing the Affordable Care Act either next week, the week after, or the week after that? As the gentleman knows, CBS opines that we've spent some 80 hours on that issue, with whatever cost is attendant to that. You can answer both questions, I suppose, but certainly I would be interested and the Members would be interested to know whether or not we're going to have another vote on repealing the Affordable Care Act.

I yield to my friend.

Mr. CANTOR. Madam Speaker, I thank the gentleman for yielding.

I would say to the gentleman about this week's vote—in fact, today—today we voted on a bill that helps us ''Mine it in America.'' The gentleman likes to speak about ''making it in America.'' Why shouldn't we also be mining it in America? So it's very much a bill to facilitate that business and industry in this country in an environmentally sensitive way. In fact, 22 of the gentleman's caucus Members joined us in that vote—''Mine it in America,'' Madam Speaker.

As to the gentleman's question about the suggestion that perhaps the regulatory environment does not affect the potential growth or real growth in this country, that is something that I don't believe the gentleman agrees totally with that statement, because I know he and I both have worked on trying to streamline regulations here. We don't want overly burdensome regulations on small or large businesses or working families.

So again, I would take issue with the suggestion that economists would say that regulatory atmosphere and framework don't have anything to do with job creation. Of course it does. It has to do with the environment for one to take a risk, for investors to put capital to work, for entrepreneurs to go out and sign their name on the dotted line with the bank. Of course regulation has something to do with job creation and growth. That is exactly our point. And I hope the gentleman will join us in the week that we bring these red tape reduction bills to the floor to help us accomplish something so that we can roll back the unduly burdensome framework and make sure we have a smart framework of regulation so that we can see America grow.

As to the gentleman's final question about scheduling another repeal vote of ObamaCare, if the gentleman would like to do so, I'm happy to meet with him. Right now, as the gentleman knows, we have done that this week. And I would say to the gentleman, the reason why perhaps we spent so much time on that issue, it is the most personal issue to many millions of Americans. It's their health care; it's their family's health care. At the end of the day, this election season will underscore the importance of people engaging in this discussion and participating in our democracy because the kind of health care that we will have in this country will be determined by the outcome of the election.

The real question is, Madam Speaker, are we going to have Washington-based health care or patient-based health care? That's what it comes down to. Who's in the driver seat, patients and their doctors, or Washington-based bureaucrats deciding what kind of coverage we can have? We all know what's happened with that approach under ObamaCare: costs have gone up, employers are beginning to shed the plans, and people will not be able to have the health care they have. That's why we've spent the time we have on this bill.

Mr. HOYER. Well, the gentleman knows full well I think you have wasted a lot of time on this House floor, wasted a lot of effort on this House floor knowing full well that that had no chance of passage and that you were simply appealing to the base that you were just appealing to. In fact, this gentleman believes that what you would do if your bill is passed, you would take away benefits from millions and millions and millions of people. I think that's incontestable. It's incontestable that seniors, who are now getting more help with the doughnut hole for their prescription drugs which enhance their quality and length of life, would lose it if we repealed the Affordable Care Act.

It is incontrovertible, I will tell my friend, that millions of young people who can't find a job unfortunately in this economy—and we haven't gotten any immediate jobs legislation that was offered by the President on this floor to even consider, pass or fail—millions of young people would lose their insurance.

Millions of children who have a preexisting condition, who now, under the Affordable Care Act, cannot be precluded by the insurance companies—which is really who you want to put in—not you personally, but who the defeat of the Affordable Care Act would put insurance companies back in charge, not government bureaucrats, but insurance companies.

So many of your Republican Governors don't want to set up the exchanges. All the exchanges are is setting up a free market of private sector insurers where people can make a judgment: Do they like policy A, B or C? It's very tough for consumers to determine right now whether they're getting a good bargain for the price they're paying for their health insurance, which is very expensive. And I will tell the gentleman that the Affordable Care Act will also create—CBO says, economists say—millions of jobs in the health care area. So, contrary to the gentleman's assertion that we are taking away care, in fact we are adding 30 million people access to affordable quality health care.

As Mr. Romney said, we are requiring responsibility. So everybody takes personal responsibility to make sure that, if they can, they will insure themselves. So, what? So that the rest of us won't have to pay when they go to the hospital or get sick. They will be responsible for themselves. And if they need help, as Mr. Romney said in Massachusetts when RomneyCare was adopted—a model just like we've adopted for the Nation—it's important to make sure that they get some help. That's what that bill does.

In addition to that, we've made sure that people didn't have a serious illness and have the insurance companies—not government bureaucrats, not the government, but insurance companies—say you're too sick, we're not going to cover you anymore.

So I will tell my friend, he and I have a radically different view on what the consequences are of the 31 votes that we've had, that the gentleman knew were not going to pass the Senate, knew the President wasn't going to sign, and knew you didn't have the votes to override. You're making a political point, I understand that. There are people who disagree with the Affordable Care Act; I understand that as well. But I frankly think that, had we dealt with jobs legislation during that period of 80 hours and considered the President's jobs bill, we would have millions of more people employed today in America right now.

Now, let me just, so that there's no misunderstanding, so I don't neglect to respond to the gentleman's assertion, he's right. He and I agree: we need to cut government red tape; we need to speed approvals; we need to make sure that we do not impede, by regulation, the growth of our economy and the growth of jobs. I couldn't agree with him more. I think we ought to deal with that on a bipartisan basis, and hopefully we will continue—or perhaps start to do that, I might say, or continue to do that in some instances. But the gentleman is correct.

Now, let me ask you something, however, about the tax vote, because you also mentioned bringing taxes down. Let me ask you something: Do you expect that vote to come the last week that we are in session before the August break? I yield to my friend.

Mr. CANTOR. I'd say, Madam Speaker, to the gentleman, can you repeat the question?

Mr. HOYER. Yes. Do you expect the vote on taxes, which you have referred to, to occur the last week—which I believe is the 29th of July, the week of 29 July—to be on that week?

Mr. CANTOR. I would respond to the gentleman, Madam Speaker, that, yes, we have scheduled for that week a vote on the bill to extend existing rates. That extension will be for a year.

We will also be bringing up a bill that will outline the principles for tax reform that I know the gentleman also

has said we need to reform our Tax Code so that we can help make it fairer, more simple, and so that we can see the economy grow again. Those vehicles will be brought up that week, yes, Madam Speaker.

Mr. HOYER. I'll look forward to seeing the latter bill because the gentleman is correct, I think we do need to reform our tax system. We need to make it simpler. I would like to see us reduce preference items and bring rates down, as the Bowles-Simpson/ Domenici-Rivlin—Gang of Six, whoever you want to refer to—has suggested. I think that's moving in the proper direction.

□ 1310

I also think we have to, however, frankly, make sure that we bring down the deficit and debt confronting this Nation. And I think, as Bowles-Simpson pointed out, you've got to do that in a balanced way.

Let me ask you something on these packages that you said are coming that last week. There have not yet been hearings on the ramifications of either of those bills, as I understand it, in the Ways and Means Committee.

Does the gentleman expect there to be hearings on those? And does the gentleman expect there to be a markup of either one of those bills in the Ways and Means Committee?

I yield to my friend.

Mr. CANTOR. Madam Speaker, I'd say to the gentleman, I think I disagree with the gentleman, there haven't been hearings.

I think, for the last year and a half, Chairman CAMP and his committee have been fast about looking at the Tax Code, talking about tax reform, divulging what it would mean for us to have an increased tax environment for this economy. We've been all about the economy and growth.

I'd say to the gentleman, he likes to say, why can't we do jobs bills? We have been doing jobs bills. He complains about the 30-some bills we've been doing relating to ObamaCare. I would say we've done even more than that relating to jobs.

I would ask the gentleman to just remember where those bills sit right now. They're on the doorstep of the Senate, and the leader over there refuses to bring them up.

And so, again, I'd say to the gentleman, we stand ready to work together so that we can produce results for the people that sent us here, and that is the purpose of bringing forward the bills that have been talked about, have been dissected, in terms of existing tax rates, where they may or may not go, how they affect growth in this economy. That's what we're doing.

We've had multiple votes, multiple hearings on tax reform, on what the tax rates mean, and this vote will be very clear. If you want to stop the tax hike for all Americans, at all income levels, you'll vote for the bill. If you want to engage in tax reform, if you feel the Tax Code is too complicated, it needs to be simplified, rates brought down, loopholes closed, you'll vote for the bill. It's that simple.

Mr. HOYER. When you say, I presume, as the gentleman said, we're talking about two different bills, are we not?

Mr. CANTOR. I would say to the gentleman, that is correct.

Mr. HOYER. I thank the gentleman for that clarification.

Let me say to the gentleman that when the gentleman says there have been hearings on tax reform, I think that's probably accurate. What there has not been, in my view and in Mr. LEVIN's, who's the ranking member of the committee, there's been no hearing on the ramifications of the bill, which, apparently, is going to be brought to the floor, which simply extends all the Bush-era tax cuts, ramifications to the deficit, ramifications to the debt and, indeed, ramifications to the economy.

I would say, with all due respect to my friend, the majority leader, I don't believe there have been hearings on that issue. There have been hearings on, should we reform the Tax Code. The gentleman and I agree. We should simplify it. We should reform the Tax Code. We should make it more compatible with economic growth, and very frankly, for average individual Americans who want to pay their taxes, would like to pay as little as possible, all of us would like to do that, but want to support their country as well.

So I don't really share the gentleman's view that there have been hearings on the ramifications of the bill that the gentleman says he's going to bring to the floor, and that's what I asked.

Now, let me ask you the other question, which was the second part of it. Is there going to be a markup of the bill which you're going to bring to the floor in terms of taxes? To clarify, so that Members on both sides of the aisle will have an opportunity to offer amendments in committee, make observations in committee as to the ramifications of that action, and that Members will have an opportunity to reflect on that bill.

I yield to my friend.

Mr. CANTOR. Madam Speaker, I would say to the gentleman, this is a very simple and clear choice here. Given this economy, if one wants to raise taxes on all Americans, you vote against the bill. If you want to go and help folks through a more simple Tax Code, and you want to look towards tax reform, you vote for the next bill. Straight up or down.

There has been enough discussion, enough hearings, in the Ways and Means Committee, as well as the Budget Committee. These issues were central to our budgets. Your Members on the Budget Committee, as well as ours, had a full open hearing on that budget document and a markup.

We believe now's not the time to raise taxes on working people, small businesses and large. The economy is anemic. We don't have enough job growth. Why do we want to take more of people's hard-earned money? That's why we're bringing this bill forward.

This bill is straight up or down. Stop the tax hike or not.

Mr. HOYER. I take it the answer is no, there will not be a markup on a bill that will have extraordinary consequences to all Americans, and possibly extraordinary consequences to the deficit and debt and to our economy. Am I correct in interpreting your answer as no, there will not be a markup of this very important bill? You will bring it straight to the floor without committee consideration? Is that an accurate interpretation of what you said?

I yield to the gentleman.

Mr. CANTOR. Madam Speaker, I think the gentleman has heard my response.

Mr. HOYER. Well, I did hear the response, and apparently I accurately characterized it. I think that's a shame, Mr. Majority Leader.

Mr. BOEHNER said that we were going to be an open House, that we were going to consider matters, and that everybody would have their opportunity to have their input.

Usually, tax bills are brought to the floor, not subject to amendment. You have just said, as I understand what you said, this bill, our way or the highway. If you don't like the bill the way we brought it to the floor, you're out of luck. You don't have an option. You can't put any of your ideas into this bill.

If that's the way you intend to consider this bill, Mr. Leader, I think that's unfortunate.

I yield to my friend.

Mr. CANTOR. Madam Speaker, the gentleman knows that his side of the aisle will have an opportunity to posit their position on taxes through the regular process of a motion to recommit. And as I had said publicly yesterday, when asked, are the Democrats in the House going to be able to offer the President's tax proposal, I said, absolutely they will.

So we'll see. We'll see, Madam Speaker, if the gentleman decides to put forward the President's tax proposal calling for a tax hike on American small businesses. We'll see if that happens, Madam Speaker. But we will see, and that will be the week it will happen.

You're either for stopping tax hikes or you're not.

Mr. HOYER. My way or the highway. That's what you just said, Mr. Leader. I understand that concept.

Very frankly, in my view, we have agreement. We have agreement on something that you won't bring to the floor, and it is that all middle class, working Americans will not get a tax hike, all of them. And everybody, up to $250,000 of income, will have no tax increase.

But we have a big deficit and a big debt, and we need to pay our bills. We have a debt limit vote coming up at the

end of this year. Very frankly, we took the country to the brink of default and very adversely affected our economy by undermining confidence.

You talked a lot about confidence in the last campaign, Mr. Leader. I agreed with you. I think we need to instill confidence, not undermine confidence.

But I will tell my friend that if you wanted to work together, as you've said on a number of occasions now, as for instance we did with the Export/Import bank, the bills that you sent over there, we didn't work together on. They were passed on a partisan vote, for the most part. Not all of them. And some votes were overwhelmingly bipartisan. And guess what happened? They became law. The President signed them. Export/Import bank, the jobs bill that you promoted and which I voted for.

You said you want to work together. Now, it's interesting when you say ''work together,'' because what you say you're going to give us is a motion to recommit. And what you will instruct, and what your whip will instruct, is for all of your Members, vote ''no,'' and your side will inaccurately say it is a purely procedural vote. And as you have for the last 18 months, your Members will vote ''no'' on motions to recommit, notwithstanding the fact that they may agree with the substance.

And the fact of the matter is, Mr. Leader, we can have a vote that ought to pass with 435 votes, 435 votes. Everybody in this Congress says that we ought to not have a tax increase on working Americans, on working Americans making less than $250,000 in taxable income. As you know, that's more income.

□ 1320

But we won't get that vote except on an MTR, on which you have instructed your Members to vote ''no,'' incorrectly arguing that it's a procedural vote only and not a substantive vote. I would say to my friend, not only will you not allow us an amendment on the floor, it appears, but you won't allow an amendment to be offered in committee so that we can vote on that.

Yes, we have disagreement; but you're prepared to hold hostage working Americans by saying, if the richest people in America might have a little bit of a tax increase, then everybody else is going to get a tax increase. You said it a different way, I understand; but the reality and the ramifications of the actions that you are proposing to follow will mean that we will not get a vote, which I think there is overwhelming support of, in making sure that working Americans and, yes, 97 percent of small businesses don't get any tax increase at all. We have agreement on that, Mr. Leader.

Why don't we bring that to the floor and show the American public that, yes, we can come together, as you have suggested; that yes, we can agree; and that yes, we can make sure that they don't get a tax increase? Then, yes, we can have a debate on the balance. You will take one position, and I may take another position, and the American public will see that, and then they can make a judgment as to with whom they agree.

Now, my view is an overwhelming majority of the public will agree with me, and you will think the overwhelming majority of the American public will agree with you. That's what democracy is about. Let us have this debate. Let us have this vote. Let us make sure that working Americans aren't held hostage to the wealthiest in our country.

Mr. CANTOR. Madam Speaker, what I would say to the gentleman is holding hostage working families is denying them a job. It's about jobs. The gentleman can play with the statistics all he wants and claim that 97 percent of the small businesses will get a tax break this way and that let's leave the other for later; but the significant fact is, it's with the others where the significant job growth can be.

Why would we want to go and tax job creators? We know that 50 percent of the people who will get a tax hike under the President's proposal get at least a quarter of their incomes from small business, and the more their incomes the more the percentage. That means the jobs

So why would we want to stop job creators from hiring people? Because Washington takes more of their money. Why would we want tax rates to go up on anybody in this anemic economy? And why would we want to go and raise taxes when we haven't put an end to the out-of-control spending in Washington? Because what you're doing is digging the hole deeper.

That's our position, Madam Speaker.

So I would ask the gentleman straight up: Is the gentleman going to bring to the floor a motion to recommit for his proposal, the President's proposal? Is that going to be the motion to recommit? Will the gentleman actually put his words to work and have that be their motion to recommit?

Mr. HOYER. If the gentleman is asking me am I for the President's proposal, the answer is absolutely yes. I don't want the gentleman confused in any way. If the motion to recommit is the only option we have available, we are certainly going to discuss that option, but we're not going to pretend, either to ourselves or to the American people, that your side will treat it as a real vote.

Do you want to put it on the floor as an amendment? Do you want to have a real debate on it, not 5 minutes on one side and 5 minutes on the other side, which the motion to recommit is limited to?

You're shutting us down—you're gagging us—and, yes, you're putting middle class taxpayers at risk because you know, I know, and the American people know the President of the United States has said he would veto your bill. He has said he will sign a bill that together we could pass making sure that 98 percent of Americans do not get a tax increase. What you are proposing to do, Mr. Leader, is to bring to the floor a bill which simply protects the 2 percent, that says that the 2 percent should not pay more. The gentleman says, oh, they're great job creators. I understand what the gentleman is saying.

By the way, the program you're going to offer, it was in place. It was in place from 2001, 2003 to 2009. You and I both know what happened, not solely because it was in place, of course—let us stipulate to that. The fact is we had the deepest recession in your lifetime and my lifetime and the lifetimes of anybody who is younger than 90 years of age under the program that you're proposing we continue with. I will tell you, Mr. Leader, I don't think that's a great way to proceed. At least we ought to have the opportunity to debate it. At least we ought to have more than 5 minutes on our side to tell the American people where we're coming from. At least we ought to have a vote where you don't instruct your Members it's a procedural vote and don't vote for it.

I will tell the gentleman with all clarity that the consequences of your act—and you do it knowledgeably—will be that middle class taxpayers will be put at risk. Why? Whether you agree with it or not, the President will veto it. The Senate, I don't think will pass it. The fact of the matter is we can do for 98 percent of Americans that which we agree on. You don't want them to have a tax increase. I don't want them to have a tax increase. We agree on that. Americans can not understand, when we agree on that, why we can't at least pass something on which we agree which will help 98 percent of Americans in this struggling economy, which is as you clearly point out.

Now, you point out—you didn't use the term—that we only added 80,000 jobs last month. I was disappointed by that; that was unfortunate. But in the last month of the previous administration, we lost 818,000 jobs in 1 month with your program in place. That's an 890,000, almost 900,000, turnaround. From 818,000 minus to 80,000 plus, we created 4.4 million jobs in the last 28 months. Not enough. Not enough by far.

I want to work with the gentleman to create many more—work with him on jobs legislation, economic growth legislation, Make It in America legislation. If we could get some of that legislation to the floor, we think it would be helpful.

So I say to my friend that I feel very strongly, as you can tell, that if we are going to have this vote, which is an extraordinarily consequential vote, at least we ought to have a substitute—at least—not just an MTR, which your side incorrectly argues is just a procedural vote, not just a 5-minute debate on our side and a 5-minute debate on

your side. Don't you think Americans expect more of us in terms of a very substantive debate on the floor of this House, not in a political forum but in a legislative policy forum? I would urge the gentleman to consider that objective.

If the gentleman has nothing further, I yield back the balance of my time.

HOUR OF MEETING ON TOMORROW

Mr. CANTOR. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further when the House adjourns on that day, it adjourn to meet at noon on Tuesday, July 17, 2012, for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Ms. HERRERA BEUTLER). Is there objection to the request of the gentleman from Virginia?

There was no objection.

RULE BY THE FEW PLUTOCRATS THREATENS OUR REPUBLIC

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

Ms. KAPTUR. Madam Speaker, I rise today to draw attention to how campaign super PACs are contributing unlimited campaign spending, which shifts enormous political power to the superwealthy. Rule by the few plutocrats truly threatens our Republic and greatly harms representative government.

Here is a great cartoon. It was in the Toledo Blade by Paul Kirk. It shows how the super PACs really have a stranglehold on the politics of this country.

With the Citizens United ruling by the Supreme Court, they threw away decades of legal precedent governing campaign contributions. The result has been a growing stranglehold by the money barons on good government and our political process. The American people know it, and they know we're not doing anything about it.

At a minimum, we should demand greater transparency of who is actually giving this money. No more hidden donors. I urge my colleagues to sign discharge petition 4010, which is here on the floor today, to move a bill for disclosure to the floor. What we really should do is pass a constitutional amendment to allow for campaign spending and contribution limits. I had that bill; and I've had that bill Congress, after Congress, after Congress. It's House Resolution 8. I encourage my colleagues to join me as cosponsors.

Let's do what Canada and Britain have done, and that's to rein in the control of the many by the few money barons.

□ 1330

MADE IN AMERICA, AN ECONOMIC SOLUTION

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

Mr. ISRAEL. Madam Speaker, today we learn that American athletes competing in the Olympics will wear uniforms made in China. That not only hurts our pride; it hurts our economy.

''Made in America'' is not just a label; it is an economic solution. Today there are 600,000 vacant manufacturing jobs in this country, and the Olympic committee is outsourcing the manufacturing of uniforms to China. That is not just outrageous; it is just plain dumb. It is self-defeating.

I understand and my constituents understand the hard work, the skills, and the dedication of athletes competing in the Olympics. I think the Olympic committee has to understand the hard work, the dedication, and the skills of America's apparel manufacturers, designers, and small businesses. That's why today I'm calling on the Olympic committee to reverse this decision and make sure that American athletes competing in the Olympics are competing with labels that say ''Made in America.''

THE WORDS OF MARK HELPRIN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mark Helprin is an author who was educated at Harvard, Oxford, Princeton, Columbia, having also served in the British Merchant Navy and Israeli Military. I will simply convey his words in an article first printed in Hillsdale College's Imprimis 3 years before 9/11 propelled us into the realization that we had been at war for over 20 years, but only the other side knew it was a war, and also before we knew how crushing and debilitating our enormous debt would be and has become.

I've shortened the words a bit and provided them here as they express my heart more exquisitely than my own written words could:

When letters took a month by sea and the records of the United States Government could be moved in a single wagon pulled by two horses, we had great statesmanship. We had men of integrity and genius: Washington, Hamilton, Franklin, Jefferson, Adams, Madison, Monroe. These were men who were in love with principle, as if it were an art, which in their practice they made it.

They studied empires that had fallen for the sake of doing what was right in a small country that had barely risen and were able to see things so clearly that they surpassed in greatness each and every one of the classical models that they had approached in awe.

Now, lost in the sins and complexity of a Xanadu, when we desperately need their high qualities of thought, their patience of deliberation and their unerring sense of balance, we have only what we have, which is a political class that in the main has abandoned the essential qualities of statesmanship with the excuse that these are inappropriate to our age. They are wrong. Not only do they fail to honor the principles of statesmanship, they fail to recognize them, having failed to learn them, having failed to want to learn them.

In the main, they are in it for themselves. Were they not, they would have a higher rate of attrition, falling with the colors of what they believe rather than always landing on their feet—adroitly, but in dishonor. In light of their vows and responsibilities, this constitutes not merely a failure, but a betrayal. And it is a betrayal of not only statesmanship and principle, but of country and kin.

Why is that? It is because things matter. Even though it be played like a game by men who excel at making it a game, our life in this country, our history in this country, the sacrifices that have been made for this country, the lives that have been given to this country, are not a game. My life is not a game. My children's lives are not a game. My parents' lives were not a game. Your life is not a game.

Yes, it's true, we do have accumulated great stores of power, of wealth, and decency against which those who pretend to lead us can draw when, as a result of their vanities and ineptitudes, they waste and expend the gifts of previous generations. The margin of error bequeathed to them allows them to present their failures as successes.

They say, as we are still standing, and a chicken is in the pot, What does it matter if I break the links between action and consequence, work and reward, crime and punishment, merit and advancement? I myself cannot imagine a military threat and never could. So what does it matter if I weld shut the silo hatches on our ballistic missile submarines? What does it matter if I weld shut my eyes to the weapons of mass destruction in the hands of lunatics who are building long-range missiles?

Our jurisprudence is the envy of the world, so what does it matter if now and then I perjure myself a little? What is an oath? What is a pledge? What is a sacred trust? Are not these things the province of the kinds of people who were foolish enough to do without all of their lives, to wear ruts in the Oregon Trail, to brave the seas, to die on the beaches of Normandy and Iwo Jima, and on the battlefields of Shiloh and Antietam for me so that I can draw from America's great accounts and look good, and be Presidential, and have fun in all kinds of ways?

That is what they say—if not in words, then indelibly in actions. They who, in robbing Peter to pay Paul, present themselves as payers and forget that they are also robbers. They who, with studied compassion, minister to some of us at the expense of others. They who make goodness and charity a public profession, depending on their election upon a well-mannered embrace of these things and the power to move them not from within themselves or by their own sacrifices but, by compulsion, from others. They who, knowing very little or next to nothing, take pride in eagerly telling everyone else what to do. They who believe absolutely in their recitation of pieties, not because they believe in the pieties, but because they believe in themselves.

Nearly 400 years of America's hard-earned accounts, the principles we established, the battles we fought, the morals we upheld for century after century, our very humility before God, now flow promiscuously through our hands like blood onto sand, squandered and laid waste by a generation that imagines

history to have been but a prelude for what it would accomplish. More than a pity, more than a shame, it is despicable. And yet this parlous condition, this agony of weak men, this betrayal, and this disgusting show are not the end of things.

Principles are eternal. They stem not from our resolution or lack of it, but from elsewhere where, in patient and infinite ranks, they simply wait to be called. They can be read in history.

□ 1340

They arise as if of their own accord when, in the face of danger, natural courage comes into play and honor and defiance are born. Things such as courage and honor are the mortal equivalent of certain laws written throughout the universe. The rules of symmetry and proportion, the laws of physics, the perfection of mathematics, human will, that not only natural law but our own best aspirations have a life of their own. They have lasted through far greater abuse than abuses them now. They can be neglected, but they cannot be lost. They can be thrown down, but they cannot be broken.

Each of them is a different expression of a single quality, from which each arises in its hour of need. Some come to the fore as others stay back, and then, with changing circumstance, those that have gone unnoticed rise to the occasion.

Rise to the occasion. The principle suggests itself from a phrase, and such principles suggest easily and flow generously. You can grab them out of the air from phrases, from memories, from images.

A statesman must rise to the occasion. Democrats can do this. Harry Truman had the discipline of plowing a straight row 10, 12, and 14 hours a day, of rising and retiring with the sun, of struggling with temperamental machinery, of suffering heat and cold and one injury after another. After a short time on a farm, presumptions about ruling others tend to vanish. It is as if you are pulled to earth and held there.

The man who works the land is hard put to think that he would direct armies and nations. Truman understood the grave responsibility of being President of the United States, and that it was a task too great for him or anyone else to accomplish without doing a great deal of injury—if not to some, then to others. He understood that, therefore, he had to transcend himself. There would be little enjoyment of the job, because he had to be always aware of the enormous consequences of everything he did. Contrast this with the unspeakably vulgar pleasure in office of President Clinton.

Truman, absolutely certain that the mantle he assumed was far greater than he could ever be, was continually and deliberately aware of the weight of history, the accomplishments of his predecessors, and, by humble and imaginative projection, his own inadequacy. The sobriety and care that derived from this allowed him a rare privilege for modern Presidents to give to the Presidency more than he took from it. It is not possible to occupy the Oval Office without arrogantly looting its assets or nobly adding to them. May God bless the President who adds to them, and may God condemn the President who loots them.

America would not have come out of the Civil War as it did had it not been led by Lincoln and Lee. The battles raged for 5 years, but for 100 years in the country, both North and South, modeled itself on their character. They exemplified most perfectly Churchill's statement, ''Public men charged with the conduct of the war should live in a continual stress of soul.''

The continual stress of soul is necessary as well in peacetime, because for every good deed in public life, there is a counterbalance. Benefits are given only after taxes are taken. That is part of governance. The statesman, who represents the whole Nation, sees in the equilibrium for which he strives a continual tension between victory and defeat. If he did not understand this, he would have no stress of soul, he would merely be happy—about money showered upon the orphan, taken from the widow; about children sent to day care, so that they may be long absent from their parents; about merciful parole of criminals, who kill again. Whereas a statesman knows continual stress of soul, a politician is happy, for he knows not what he does.

It is difficult for individuals or nations to recognize that war and peace alternate, but they do. No matter how long peace may last, it will end in war. Though most people cannot believe at this moment that the United States of America will ever actually fight for its survival, history guarantees that it will. And, when it does, most people will not know what to do. They will believe of war, as they did of peace, that it is everlasting.

The statesman, who is different from everyone else, will, in the midst of common despair, see the end of war, just as during the peace he was alive to the inevitability of war, and saw it coming in the far distance, as if it were a gray wave moving quietly across a dark sea.

The politician will revel with his people and enjoy their enjoyments. The statesman, in continual stress of soul, will think of destruction. As others move in the light, he will move in the darkness, so that as others move in darkness, he may move in the light. This tenacity, that is given to those of long and insistent vision, is what saves nations.

A statesman must have a temperament that is suited for the Medal of Honor, in a soul that is unafraid to die. Electorates rightly favor those who have endured combat, not as a matter of reward for service, as is commonly believed, but because the willingness of the soldier to give his life is a strong sign of his correct priorities, and that in the future he will truly understand that statesmen are not rulers but are servants. It seems clear, even in these years of squalid degradation, that having risked death for the sake of honor is better than having risked dishonor for the sake of life.

No matter what you're told by the sophisticated classes that see virtue in every form of corruption and corruption in every form of virtue, I think you know, as I do, that the American people hunger for acts of integrity and courage. The American people hunger for a statesman magnetized by the truth, unwilling to give up his good name, uninterested in calculation only for the sake of victory, unable to put his interests before those of the Nation.

What this means in practical terms is no focus groups, no polls, no triangulation, no evasion, no broken promises, and no lies. These are the tools of the chameleon. They are employed to cheat the American people of honest answers to direct questions. If the average politician, for fear that he may lose something, is incapable of even a genuine ''yes'' or ''no,'' how is he supposed to rise to the great occasions of state? How is he supposed to face a destructive and implacable enemy? How is he supposed to understand the rightful destiny of his country and lead it there?

□ 1350

At the coronation of an English monarch, he is given a sword. Elizabeth II took it last, and as she held it before the altar, she heard these words:

''Receive this kingly sword, brought now from the altar of God and delivered to you by us, the Bishops and servants of God, though unworthy. With this sword do justice, stop the growth of iniquity, protect the holy Church of God, help and defend widows and orphans, restore the things that are gone to decay, maintain the things that are restored, punish and reform what is amiss, and confirm what is in good order; that doing these things may be glorious in all virtue; and so faithfully serve our Lord.''

Would that we in America come once again to understand that statesmanship is not the appetite for power but—because things matter—a holy calling of self-abnegation and self-sacrifice. We have made it something else. Nonetheless, after and despite its betrayal, statesmanship remains the manifestation, in political terms of beauty, and balance, and truth. It is the courage to tell the truth, and thus discern what is ahead. It is a mastery of symmetry of forces, illuminated by the genius of speaking to the heart of things.

Statesmanship is a quality that, though it may be betrayed, is always ready to be taken up again merely by honest subscription to its great themes. Have confidence that even in idleness its strengths are growing, for it is a providential gift given to us in times of need. Evidently we do not need it now, but as the world is forever interesting, the time will surely come when we do. And then, so help me God, I believe that, solely by the grace of God, the corrupt will be thrown down and the virtuous will rise up.

Slavery was an abomination, but statesmen arose and fought until its demise. But 13 years after the foregoing words were first said, we do so desperately need that statesmanship, and God's unmitigated grace, so that His providential gift of this Nation to us may endure for additional generations and, in the process, may God resume blessing these United States of America.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COBLE (at the request of Mr. CANTOR) for today on account of personal reasons.

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today on account of business in district.

Mr. RUSH (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, July 13, 2012, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6872. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act,

Army Case Number 10-02; to the Committee on Appropriations.

6873. A letter from the Chairman, National Labor Relations Board, transmitting notification of two violations of the Antideficiency Act, as required by section 1351 of Title 31, United States Code, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

6874. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Australia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6875. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's 2011 Annual Report of the Securities Investor Protection Corporation; to the Committee on Financial Services.

6876. A letter from the Surgeon General, Department of Health and Human Services, transmitting third annual Status Report from the National Prevention, Health Promotion and Public Health Council; to the Committee on Energy and Commerce.

6877. A letter from the Deputy Division Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link-Up; Universal Service Reform-Mobility Fund [WC Docket No.: 10-90] [GN Docket No.: 09-51] [WC Docket No.: 07-135] [WC Docket No.: 05-337] [CC Docket No.: 01-92] [CC Docket No.: 96-45] [WC Docket No.: 03-109] [WT Docket No.: 10-208] received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6878. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-based 800 MHz Specialized Mobile Radio Licensees; Request for Declaratory Ruling that the Commission's Rules Authorize Greater than 25 kHz Bandwidth Operations in the 817-824/862-869 MHz Band [WT Docket No.: 12-64] [WT Docket No.: 11-110] received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6879. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Wireline Competition Bureau Announces Support Amounts For Connect America Fund Phase One Incremental Support [WC Docket Nos.: 10-90, 05-337] received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6880. A letter from the Chief of Staff, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Suspend the Acceptance and Processing of Certain Part 22 and 90 Applications for 470-512 MHz (T-Band) Spectrum received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6881. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund; High-Cost Universal Service Support; [WC Docket No.: 10-90] [WC Docket No.: 05-337] received June 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6882. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Advance Notification to Native American Tribes of Transportation of Certain Types of Nuclear Waste [NRC-1999-0005] (RIN: 3150-AG41) received June 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6883. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Enforcement Policy Revision [NRC-2011-0176] received June 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6884. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a notice of proposed follow-on lease with the Government of Singapore (Transmittal No. 04-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6885. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

6886. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

6887. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

6888. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004; to the Committee on Foreign Affairs.

6889. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6890. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6891. A letter from the Associate General Counsel, Department of Agriculture, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

6892. A letter from the Secretary, Department of the Treasury, transmitting the Department's semiannual reports from the Treasury Inspector General and the Treasury Inspector General for Tax Administration; to the Committee on Oversight and Government Reform.

6893. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the semiannual report on the activities of the Inspector General and management report for the period ending March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6894. A letter from the Special Counsel for Congressional/Intergovernmental Affairs, National Labor Relations Board, transmitting the Board's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6895. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2011 through March 31, 2012; to the Committee on Oversight and Government Reform.

6896. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report from the office of the Inspector General 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.

6897. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery [Docket No.: 110722404-1073-02] (RIN: 0648-BA56) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6898. 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 Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC061) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6899. 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 for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Ialands Management Area [Docket No.: 111213751-2102-02] (RIN: 0648-XC064) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6900. 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 Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 24 [Docket No.:101202599-2122-02] (RIN: 0648-BA52) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6901. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Accountability Measures for the Recreational Sector of Gray Triggerfish in the Gulf of Mexico for the 2012 Fishing Year [Docket No.: 120417412-2412-01] (RIN: 0648-XCO36) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6902. 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; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area [Docket No.:111213751-2102-02] (RIN: 0648-XC052) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6903. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Commercial Porbeagle Shark Fishery Closure (RIN: 0648-XC044) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6904. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Pelagic Fisheries; Modification of American Samoa Large Vessel Prohibited Area [Docket No.: 110909578-2120-02] (RIN: 0648-BB45) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6905. 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 Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 18A [Docket No.: 120309176-2075-02] (RIN: 0648-BB56) received June 26, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6906. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 47 [Docket No.: 120109034-2171-01] (RIN: 0648-BB62) received June 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6907. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures; Correction [Docket No.: 110707371-2136-02] (RIN: 0648-BB28) received June 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6908. 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-BC11) received June 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6909. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Recreational Accountability Measures [Docket No.: 111128700-2405-02] (RIN: 0648-BB66) received June 18, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6910. A letter from the Clerk, Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit, Exelon Generation Company, LLC v. Local 15, International Broth, No. 11-2423, (May 31, 2012); to the Committee on the Judiciary.

6911. A letter from the Auditor, Congressional Medal of Honor Society, transmitting the annual financial report of the Society for calendar year 2011, pursuant to 36 U.S.C. 1101(19) and 1103; to the Committee on the Judiciary.

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. SMITH of Texas: Committee on the Judiciary. H.R. 3120. A bill to amend the Immigration and Nationality Act to require accreditation of certain educational institutions for purposes of a nonimmigrant student visa, and for other purposes; with an amendment (Rept. 112–595). 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. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. EDWARDS, and Mr. LIPINSKI):

H.R. 6106. A bill to establish scientific standards and protocols across forensic disciplines, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. THOMPSON of Pennsylvania, Mrs. CHRISTENSEN, Mr. JONES, Mr. MEEKS, Mr. MCCAUL, Mr. BISHOP of Georgia, Ms. SCHAKOWSKY, Ms. RICHARDSON, Ms. BERKLEY, Ms. CHU, Mr. PLATTS, and Mr. KELLY):

H.R. 6107. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans via telemedicine; to the Committee on Veterans' Affairs.

By Mr. FLORES:

H.R. 6108. A bill to reduce the pay of Members of Congress who miss votes because of campaigning for election to another office; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Mr. CROWLEY, and Ms. BERKLEY):

H.R. 6109. A bill to amend the Internal Revenue Code of 1986 to extend the research and development tax credit, to limit treaty benefits with respect to certain deductible related-party payments, and to treat general aviation aircraft as 7-year property; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. LATOURETTE, Mr. MICHAUD, Ms. KAPTUR, and Mr. CONYERS):

H.R. 6110. A bill to establish educational seminars at United States ports of entry to improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles that are imported into the United States in accordance with the customs laws of the United States; to the Committee on Ways and Means.

By Mr. HECK (for himself and Mr. RENACCI):

H.R. 6111. A bill to exclude from consideration as income under the United States Housing Act of 1937 payments of pension made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance; to the Committee on Financial Services.

By Mr. WOODALL (for himself, Mr. FRANKS of Arizona, Mr. MCCLINTOCK, Mr. WILSON of South Carolina, Mr. AUSTIN SCOTT of Georgia, Mr. CAMPBELL, Mr. KING of Iowa, Mr. WESTMORELAND, Mr. JONES, Mr. LONG, Mr. OLSON, Mr. SCOTT of South Carolina, and Mr. FITZPATRICK):

H.R. 6112. A bill to require Federal contractors and other recipients of Federal funds to participate in the E-Verify Program for employment eligibility verification, to permanently reauthorize the E-Verify Program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LUMMIS (for herself and Mr. RAHALL):

H.R. 6113. A bill to repeal a limitation on annual payments under the Surface Mining Control and Reclamation Act of 1977; to the Committee on Natural Resources.

By Mr. BENISHEK:

H.R. 6114. A bill to amend title 40, United States Code, to grant veterans access to Federal excess and surplus property; to the Committee on Oversight and Government Reform.

By Ms. BUERKLE (for herself and Mr. KELLY):

H.R. 6115. A bill to amend the Internal Revenue Code of 1986 to increase the contribution limit for Coverdell education savings accounts from $2,000 to $10,000; to the Committee on Ways and Means.

By Mrs. CHRISTENSEN (for herself, Mr. FALEOMAVAEGA, Ms. BORDALLO, Mr. CLAY, Mr. CLEAVER, Ms. LEE of California, Mr. TOWNS, Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Mr. CONYERS, Mr. WATT, Ms. CLARKE of New York, Mr. HASTINGS of Florida, Mr. RANGEL, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. BUTTERFIELD, Ms. FUDGE, Mr. SCOTT of Virginia, Mr. AL GREEN of Texas, Ms. EDWARDS, Ms. WATERS, Mr. MEEKS, Mr. BISHOP of Georgia, Ms. BASS of California, Ms. MOORE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. RICHARDSON, Ms. WILSON of Florida, Ms. BROWN of Florida, Mr. RUSH, and Ms. JACKSON LEE of Texas):

H.R. 6116. A bill to amend the Revised Organic Act of the Virgin Islands to provide for direct appeals to the United States Supreme Court of decisions of the Virgin Islands Supreme Court; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. BERMAN, Mr. NADLER, Ms. ZOE LOFGREN of California, Mr. COHEN, Mr. JOHNSON of Georgia, Ms. CHU, Ms.

LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Ms. NORTON, Mr. DINGELL, Mr. GEORGE MILLER of California, Ms. MCCOLLUM, Mr. KUCINICH, Mr. CAPUANO, Mr. FILNER, Ms. LEE of California, Mr. GUTIERREZ, Mr. DOGGETT, and Mr. GRIJALVA):

H.R. 6117. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. GRIMM (for himself, Mr. ROSKAM, Mr. WOMACK, and Mr. ROSS of Arkansas):

H.R. 6118. A bill to amend section 353 of the Public Health Service Act with respect to suspension, revocation, and limitation of laboratory certification; to the Committee on Energy and Commerce.

By Mr. HONDA:

H.R. 6119. A bill to establish a program to accelerate entrepreneurship and innovation by partnering world-class entrepreneurs with Federal agencies; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Mr. CARNAHAN, Mr. CARNEY, Mr. CICILLINE, Mr. ELLISON, Mr. LARSEN of Washington, Ms. LEE of California, Mr. RYAN of Ohio, and Mr. WELCH):

H.R. 6120. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified manufacturing facility construction costs; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself, Mr. SHUSTER, Mr. CUMMINGS, Mr. DOLD, Mr. LEWIS of Georgia, Mr. YOUNG of Alaska, Mr. CHANDLER, Mr. COOPER, Mr. TIBERI, Mr. ROONEY, Mr. CRITZ, Ms. EDWARDS, Mr. WALZ of Minnesota, Mr. YARMUTH, Ms. ESHOO, Mr. SIRES, Ms. ZOE LOFGREN of California, Mr. TOWNS, Mr. MCDERMOTT, Mr. SERRANO, Ms. MATSUI, Mr. BOSWELL, Mr. THOMPSON of California, Mr. DICKS, Mr. DEFAZIO, Mr. MCGOVERN, Mr. QUIGLEY, Mr. GENE GREEN of Texas, Mr. BLUMENAUER, Ms. SUTTON, Ms. PINGREE of Maine, Mr. TIERNEY, Mr. LANGEVIN, Mr. DEUTCH, Ms. SEWELL, Mr. CARSON of Indiana, Ms. JACKSON LEE of Texas, Mr. ISRAEL, Ms. DEGETTE, Mr. ALTMIRE, Mr. THOMPSON of Mississippi, Mr. RUPPERSBERGER, Mr. ACKERMAN, Mr. BISHOP of Georgia, Ms. BASS of California, Mr. PERLMUTTER, Mr. REYES, Ms. MOORE, Mr. LUJÁN, Mr. HINOJOSA, Ms. HAHN, Mr. BACA, Ms. VELÁZQUEZ, Mr. JACKSON of Illinois, Mr. ROSS of Arkansas, Mr. MARINO, Mr. BARLETTA, Mr. MCNERNEY, Mr. GERLACH, Mr. DENT, Mr. WATT, Mr. FLEISCHMANN, Mr. HASTINGS of Florida, Mr. GUTHRIE, Mr. MURPHY of Pennsylvania, Mr. SHULER, Mr. HEINRICH, Mr. THOMPSON of Pennsylvania, Mr. LATOURETTE, Mr. FRELINGHUYSEN, Mr. MCHENRY, Mrs. BONO MACK, Mr. DOYLE, Mr. TURNER of Ohio, Mr. RICHMOND, Mr. ANDREWS, Ms. WOOLSEY, Mrs. MALONEY, Mr. WELCH, Mrs. MCCARTHY of New York, Ms. BONAMICI, Ms. DELAURO, Mr. MURPHY of Connecticut, Mr. COURTNEY, Mr. CAPUANO, Mr. GRIJALVA, Mr. HOLDEN, Mr. CLAY, Mr. BRADY of Pennsylvania, Mr. RAHALL, Mr. BISHOP of New York, Mr. FATTAH, Mr. CARNAHAN, Mr. COSTA, Ms. LORETTA SANCHEZ of California, Mr. RANGEL, Ms. BORDALLO, Mr. VISCLOSKY, Ms. RICHARDSON, Ms. CLARKE of New York, Ms. MCCOLLUM, Ms. KAPTUR, Ms. NORTON, Mr. LARSEN of Washington, Mrs. DAVIS of California, Mr. HIGGINS, Mr. HIMES, Mr. CONNOLLY of Virginia, Ms. HOCHUL, Ms. CHU, Mr. AL GREEN of Texas, Mr. VAN HOLLEN, Ms. ROYBAL-ALLARD, Mr. STARK, Mr. CICILLINE, and Mr. LANCE):

H.R. 6121. A bill to provide for the issuance of a Victory for Veterans stamp, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DANIEL E. LUNGREN of California:

H.R. 6122. A bill to revise the authority of the Librarian of Congress to accept gifts and bequests on behalf of the Library, and for other purposes; to the Committee on House Administration.

By Ms. MATSUI:

H.R. 6123. A bill to clarify the authority of the Secretary of the Army to correct erroneous Army College Fund benefit amounts; to the Committee on Armed Services.

By Mr. NADLER:

H.R. 6124. A bill to direct the Secretary of Transportation to issue regulations with respect to ensuring families are able to sit together on flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RENACCI (for himself and Mr. PERLMUTTER):

H.R. 6125. A bill to amend the Federal Deposit Insurance Act and the Federal Credit Union Act with respect to privilege of information provided to Federal and State agencies, and for other purposes; to the Committee on Financial Services.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. ELLISON, Mr. CARSON of Indiana, Mr. CONYERS, Mr. HOLT, Mr. CONNOLLY of Virginia, Mr. RUSH, Ms. BORDALLO, Mr. CARNAHAN, Ms. FUDGE, Ms. LEE of California, Mr. VISCLOSKY, Ms. MOORE, Mr. STARK, Mr. GRIJALVA, Mr. PASCRELL, Mr. HONDA, Mr. TOWNS, Mr. SHERMAN, Ms. MCCOLLUM, Ms. JACKSON LEE of Texas, Ms. CHU, Ms. CLARKE of New York, Mr. CLEAVER, and Mr. FILNER):

H. Res. 728. A resolution recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. FILNER introduced a bill (H.R. 6126) for the relief of Azucena Salazar Bazan; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6106.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the Constitution of the United States.

By Mr. RANGEL:

H.R. 6107.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Congress is given the power under the Constitution ''To raise and support Armies,'' ''To provide and maintain a Navy,'' and ''To make Rules for the Government and Regulation of the land and naval Forces.'' Art. I, §8, cls. 12-14. See also: ROSTKER V. GOLDBERG, 453 U. S. 57 (1981)

By Mr. FLORES:

H.R. 6108.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7 which states that 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. The Appropriations Clause provides Congress with a mechanism to control or to limit spending by the federal government

By Mr. LEVIN:

H.R. 6109.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Sixteenth Amendment

''The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.''

By Mr. LIPINSKI:

H.R. 6110.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. HECK:

H.R. 6111.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. WOODALL:

H.R. 6112.

Congress has the power to enact this legislation pursuant to the following:

''Commerce Clause (Art. 1 sec. 8 cl. 3)

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mrs. LUMMIS:

H.R. 6113.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and

nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

The abandoned mine land fund is a tax on coal produced, in part, on federal lands. Both the tax, and its distribution were created pursuant to the Surface Mining Control and Reclamation Act of 1977, presumably with the Constitutional authority to tax, raise revenue, and spend that revenue under Article I, Section 8, Clause 1. This legislation seeks to repeal a section of that bill dealing with the distribution of AML funds. While the Constitution gives no explicit authority to repeal, it can be inferred that what Congress has the Constitutional authority to create, it can also repeal.

By Mr. BENISHEK:

H.R. 6114.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States;''

By Ms. BUERKLE:

H.R. 6115.

Congress has the power to enact this legislation pursuant to the following:

Section 8, clause 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . .''), and the 16th Amendment.

By Mrs. CHRISTENSEN:

H.R. 6116.

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. CONYERS:

H.R. 6117.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. GRIMM:

H.R. 6118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HONDA:

H.R. 6119.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HONDA:

H.R. 6120.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. LARSON of Connecticut:

H.R. 6121.

Congress has the power to enact this legislation pursuant to the following:

Clause 7, section 8, of article I to establish Post Offices and Post Roads, in combination with clause 18, section 8, article I to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. DANIEL E. LUNGREN of California:

H.R. 6122.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8 and Article I, Section 8,

Clause 18 of the Constitution of the United States.

By Ms. MATSUI:

H.R. 6123.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. NADLER:

H.R. 6124.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: clause 3 of section 8 of article I of the Constitution and clause 18 of section 8 of article I of the Constitution.

By Mr. RENACCI:

H.R. 6125.

Congress has the power to enact this legislation pursuant to the following:

Amendment X is cited as delegating to the states or to the people all ''powers not delegated to the United States by the Constitution.''

Additionally, Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Mr. FILNER:

H.R. 6126.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 4), which grants Congress the power to establish a Uniform rule of Naturalization throughout the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 192: Mr. PASTOR of Arizona and Ms. KAPTUR.

H.R. 303: Mr. STIVERS.

H.R. 409: Mr. OWENS.

H.R. 498: Mr. GRIFFIN of Arkansas.

H.R. 719: Ms. HAYWORTH, Mr. ROHRABACHER, and Mr. ANDREWS.

H.R. 735: Mr. BENISHEK.

H.R. 831: Ms. MOORE and Mr. WITTMAN.

H.R. 835: Mr. LOEBSACK.

H.R. 891: Mr. RICHMOND.

H.R. 972: Mrs. BACHMANN.

H.R. 1006: Mr. FITZPATRICK.

H.R. 1044: Mr. THOMPSON of California.

H.R. 1050: Mr. HANNA.

H.R. 1111: Mr. DUNCAN of South Carolina.

H.R. 1167: Mr. CASSIDY.

H.R. 1283: Mr. TIERNEY, Mr. AKIN, and Mr. STIVERS.

H.R. 1464: Mr. ROSKAM.

H.R. 1475: Mr. MARINO.

H.R. 1648: Mr. BOSWELL.

H.R. 1672: Mr. LOEBSACK and Mr. CAMP.

H.R. 1675: Ms. HAYWORTH and Mr. HASTINGS of Florida.

H.R. 1681: Ms. ROYBAL-ALLARD.

H.R. 1775: Mr. MARINO and Ms. JENKINS.

H.R. 1903: Mrs. CAPPS.

H.R. 2040: Mrs. ADAMS.

H.R. 2108: Mr. PASCRELL, Mr. GUTHRIE, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 2139: Mr. CARNAHAN, Mr. MATHESON, Mr. SCHIFF, Mr. AL GREEN of Texas, and Ms. FUDGE.

H.R. 2239: Mr. KIND.

H.R. 2469: Mr. FARR.

H.R. 2497: Mrs. CAPITO.

H.R. 2514: Mr. CASSIDY.

H.R. 2547: Mr. SIRES.

H.R. 2563: Mr. TOWNS, Ms. BERKLEY, and Mr. RUSH.

H.R. 2780: Mr. LARSON of Connecticut.

H.R. 3067: Mr. FORBES, Mr. GRAVES of Missouri, and Mr. CARSON of Indiana.

H.R. 3125: Mr. FILNER.

H.R. 3395: Mrs. ROBY and Mrs. ELLMERS.

H.R. 3399: Mr. REED.

H.R. 3496: Mr. WALZ of Minnesota and Mr. PASTOR of Arizona.

H.R. 3510: Mr. BARLETTA.

H.R. 3526: Mr. SIRES.

H.R. 3528: Mr. HASTINGS of Florida.

H.R. 3553: Mr. MCGOVERN.

H.R. 3627: Mr. BARTON of Texas, Mr. ROGERS of Michigan and Ms. RICHARDSON.

H.R. 3661: Mr. THOMPSON of California, Mr. WALBERG, and Ms. BUERKLE.

H.R. 3886: Mrs. CAPPS and Mr. STARK.

H.R. 3974: Mr. WAXMAN.

H.R. 4010: Mr. CARNEY and Ms. HIRONO.

H.R. 4057: Mr. MCKINLEY.

H.R. 4066: Mr. LOEBSACK.

H.R. 4103: Mr. MCGOVERN and Mr. HONDA.

H.R. 4124: Mr. DINGELL.

H.R. 4215: Mr. LATHAM and Mr. AUSTIN SCOTT of Georgia.

H.R. 4242: Mr. FITZPATRICK.

H.R. 4373: Mrs. MALONEY.

H.R. 4378: Mr. COSTELLO, Mr. RANGEL, Mr. NADLER, Ms. ZOE LOFGREN of California, Mr. LATHAM, and Mr. HASTINGS of Florida.

H.R. 4385: Mr. BROUN of Georgia, Mr. HURT, Mr. BROOKS, Mr. WALBERG, Mr. GRIFFIN of Arkansas, Mr. COLE, and Mr. BUCSHON.

H.R. 5542: Mr. ELLISON.

H.R. 5647: Ms. ZOE LOFGREN of California, Mr. BISHOP of New York, Mr. ISRAEL, Mrs. NAPOLITANO, Mr. CAPUANO, Mrs. MCCARTHY of New York, and Ms. EDWARDS.

H.R. 5741: Mr. SCHIFF and Mr. MURPHY of Connecticut.

H.R. 5796: Mr. BERMAN, Ms. HAYWORTH, Mr. REYES, Mr. MORAN, and Mr. KINGSTON.

H.R. 5846: Mr. NUGENT and Mr. PITTS.

H.R. 5909: Ms. NORTON and Mr. RANGEL.

H.R. 5910: Mr. BONNER.

H.R. 5911: Mr. LATHAM.

H.R. 5953: Mr. YOUNG of Florida.

H.R. 5969: Mr. BARROW, Mr. HUNTER, and Mr. KINGSTON.

H.R. 5970: Mr. BARROW, Mr. HUNTER, and Mr. KINGSTON.

H.R. 5977: Mr. SESSIONS.

H.R. 5978: Mr. PASTOR of Arizona and Mr. BRADY of Pennsylvania.

H.R. 6004: Ms. BORDALLO.

H.R. 6025: Mr. PEARCE.

H.R. 6027: Ms. BASS of California.

H.R. 6033: Mr. BACA.

H.R. 6063: Mr. AMODEI, Mr. QUIGLEY, Mr. CARSON of Indiana, Mr. AUSTRIA, and Mr. CARNAHAN.

H.R. 6075: Mr. GIBBS.

H.R. 6087: Mr. MCGOVERN, Ms. WOOLSEY, Mr. BERMAN, and Mr. RANGEL.

H.R. 6092: Mr. GALLEGLY and Mr. GRIJALVA.

H.R. 6097: Mr. TIBERI and Mr. WALBERG.

H.J. Res. 110: Mr. REHBERG.

H. Con. Res. 107: Mr. PAUL.

H. Con. Res. 109: Mr. STARK, Mr. MILLER of Florida, Mr. MORAN, Mr. FILNER, and Mr. PITTS.

H. Res. 262: Ms. LINDA T. SÁNCHEZ of California.

H. Res. 573: Mr. CLAY.

H. Res. 613: Mr. LARSEN of Washington.

H. Res. 623: Mrs. NOEM and Mr. PITTS.

H. Res. 704: Mr. BLUMENAUER and Ms. RICHARDSON.

H. Res. 713: Mr. SIRES, Mr. CICILLINE, Mr. PERLMUTTER, Mr. CARNAHAN, Mr. BLUMENAUER, and Ms. ROYBAL-ALLARD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 835: Mr. CRAWFORD.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5856

OFFERED BY: MR. MULVANEY

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. ____. (a) Appropriations made in this Act are hereby reduced in the amount of $1,072,581,000.

(b) The reduction in subsection (a) shall not apply to amounts made available for—

(1) accounts in title I;

(2) ''Other Department of Defense Programs—Defense Health Program''; and

(3) accounts in title IX.