POW/MIA RECOGNITION DAY

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

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor the more than 83,000 Americans still listed as missing in action or prisoners of war. Today is National POW/MIA Recognition Day.

I would like to bring to the attention of my House colleagues the efforts made by the joint POW/MIA Accounting Command to recover and return home to their families our unaccounted for servicemembers.

Also, let us recognize groups such as Rolling Thunder, the Vietnam Veterans of America, the American Ex-Prisoners of War, the National League of POW/MIA Families, and numerous others who ensure those who remain missing are never forgotten, and that our Nation remembers their sacrifice.

This includes Army Private First Class Ithiel Whatley of Escambia County, Florida, who was last seen on July 12, 1950, in Korea and who is remembered every day of the year by his brother Nat.

We salute our POWs and MIAs who have given to this Nation more than we can ever repay. The United States will not rest until each is home and has received the proper burial on American soil they deserve.

Please offer a prayer for those who remain on the battlefields of the past and of the present, and let us pledge that not one is left behind.

VOTER SUPPRESSION

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

Ms. SCHAKOWSKY. Mr. Speaker, this is Constitution Week, when we celebrate our fundamental rights as Americans. Today, one of the most cherished rights, the right to vote, is under serious attack.

Recent efforts to suppress voter participation are designed to silence the voice of American voters, especially seniors, people of color, the poor, and young adults.

In Florida, new restrictions on voter registration led the League of Women Voters to suspend their efforts until the law was halted by the court. Republican legislatures have passed strict voting requirements, although Pennsylvania could not provide even one example of voter fraud. Even elderly veterans, who risked their lives for our country, may be turned away from the polls because they lack the proper IDs. Five million Americans could be disenfranchised.

Anyone who values our Constitution should encourage voting, not erect barriers based on false claims of voter fraud.

STOP THE WAR ON COAL ACT OF 2012

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3409.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 788 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3409.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 0918

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, September 20, 2012, amendment No. 7 printed in House Report 112–680 offered by the gentleman from Maryland (Mr. HARRIS) had been disposed of.

□ 0920

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–680.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 503 of the committee print.

The Acting CHAIR. Pursuant to House Resolution 788, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chairman, this is an amendment, I believe, that common sense would allow us to work together and pass.

This amendment would simply maintain the current deadline that existed under the previous administration of 90 days under the Clean Air Act by striking section 503 of the bill which artificially limits agency comment periods on water quality permits to 30 days with no possibility of extension. This existed under President Bush's administration.

Why, then, would my friends on the other side of the aisle not join with me to say let's have regular order? Let's ensure that we give everyone a reasonable opportunity for a response on their quality of life.

On the surface, the intent of H.R. 3409 appears to be to prevent the Interior Department from revising a Bush administration midnight regulation that significantly weakened mountaintop protections on the destructive practice of mountaintop removal mining. Let me remind you, they did not alter the comment period. Mountaintop removal mining, as many of us know, is a very challenging, environmentally difficult process. For many, they say, it creates jobs.

What we are trying to do is to ensure that there is a balance between that industry and, as well, the fairness of allowing those to be able to comment. As it's presently drafted, this bill would reach, in fact, it would make it much more difficult, if you will, to deal with the question of rulemaking.

The people in the State of Texas and the city of Houston appreciate the ability to drink cool, fresh water. So does everyone else. The idea of not being able to comment on the impact of this particular process is challenging.

I ask my colleagues to consider the importance of coming together and extending, or going back to, the 90-day comment period to balance, if you will, the timeframe and to ensure that all are heard on any aspects that would impact the environment, impact the environment of this particular procedure.

With that, I reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. GIBBS. Mr. Chairman, I object to the amendment.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, may I ask how much time remains.

The Acting CHAIR. The gentlewoman from Texas has 2½ minutes remaining.

Ms. JACKSON LEE of Texas. I yield 1 minute to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank the gentlewoman for yielding.

Mr. Chairman, I rise in strong support of the gentlelady's amendment to yet another bill that will never become law, another bill that feeds into the biggest problem we have here.

The 112th Congress has actually set a sad new low for our democracy. We all know that President Harry Truman famously dubbed the 80th Congress in 1948 as the ''do-nothing Congress.'' Yet the do-nothing Congress of 1948 has nothing on this one. That Congress passed over 900 laws, while the 112th Congress has passed just over 100.

Among the countless laws blocked by the Republican majority is the American Jobs Act, which economists say

would create over 2½ million jobs. It's a sad day when the main drag on America's economy is the U.S. House of Representatives.

Most Americans actually have to earn their vacation days, Mr. Chairman. The only thing the Congress has earned are abysmal approval ratings. The 112th Congress puts Harry Truman's do-nothing Congress to shame. At a time when our economy should come first, that, Mr. Chairman, is shameful.

I rise in strong support of the gentlelady's amendment to a bill that prevents us from actually accomplishing the real work the American people expect from us.

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

Ms. JACKSON LEE of Texas. Mr. Chairman, let me just clarify what is happening with this legislation. It eliminates the EPA's authority to apply minimum Federal water quality standards sufficient to protect human and aquatic life, and it is weaker than State standards in many places. It strips the EPA's authority to object to the State discharge permits that fail to meet Clean Air Act requirements.

Now, this is not about creating jobs, Mr. Chairman. I ask, on the names of our children yet unborn, to be able to have a quality of life, quality of water and quality of air that the requirements that they are trying to eliminate in this bill, the proponent of this bill, to the extent that they will narrow the comment period to 30 days rather than 90 days.

Why is that not a simple request if my good friend could not say, Congresswoman, we support the amendment. I hope that's what he will say. The difficulty that I have is I would rather, Mr. Chairman, be doing Medicare, tax breaks, jobs, urgent priorities that are needed.

I just ask for a little bit of consideration on recognizing that the Nation is better when we have provided a quality of life for all Americans. Who are we to speak of the needs of the people who have coal in their region? What we have asked is that we put in the four parameters of common sense and reasonableness.

My amendment is that. It expands back to its regular order the existing comment period, Mr. Chairman, to 90 days. It strikes the provision, and this bill that limits it to 30 days.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. JACKSON LEE of Texas. I ask my colleagues to support the Jackson Lee amendment that speaks to the health and good quality of life for all Americans and America's children.

I yield back the balance of my time.

CLEAN WATER ACT DEADLINE STUDY AMENDMENT

I rise today and ask my colleagues to support my amendment to H.R. 3409 which would simply maintain the current deadline of 90 days under the Clean Water Act, by striking Section 503 of the bill which artificially limits agency comment periods on water quality permits to 30 days with no possibility of extension.

On the surface the intent of H.R. 3409 appears to be to prevent the Interior Department from revising a Bush Administration midnight regulation that significantly weakened protections on the destructive practice of Mountaintop Removal Mining. Mountaintop Removal Mining is one the most environmentally destructive practices on earth, which has fouled water quality and destroyed nearly 2,000 miles of Appalachian streams since 1992.

However, H.R. 3409 is drafted so that its reach would in fact be much broader than just this one rulemaking. The people in the State of Texas and the city of Houston appreciate the ability to drink cool fresh water which, at its core, is what the Clean Water Act is designed to do. This legislation goes all the way back to 1948 because pollution of the nation's surface waters was a very serious problem. And Mr. Speaker, it still is today.

Title V of H.R. 3409 eliminates EPA's authority to apply minimum federal water quality standards sufficient to protect human health and aquatic life, if weaker state standards are in place. It strips EPA's authority to object to state discharge permits that fail to meet Clean Water Act requirements.

And it limits EPA's ability to protect waterways from harm from mountaintop removal coal mining, repealing EPA's authority to veto a "valley fill" permit based on environmental concerns and limiting the time environmental agencies have to comment to the Army Corps of Engineers on the environmental impacts of a proposed valley fill.

H.R. 3409 would prevent the Secretary of the Interior from issuing any regulation under the Surface Mining Control and Reclamation Act (SMCRA) through December 31, 2013, if the regulation would, among other things, prohibit coal mining in any area, reduce employment in coal mines, or reduce coal production.

The principal law governing pollution of the nation's surface waters is the Federal Water Pollution Control Act, or Clean Water Act. Originally enacted in 1948, it was totally revised by amendments in 1972 that gave the act its current shape. The 1972 legislation spelled out ambitious programs for water quality improvement that have since been expanded and are still being implemented by industries and municipalities. In fact Mr. Chairman I would dare say that most Americans take clean water for granted.

The Clean Water Act consists of two major parts, one being the provisions which authorize federal financial assistance for municipal sewage treatment plant construction. The other is the regulatory requirements that apply to industrial and municipal dischargers. The act has been termed a technology-forcing statute because of the rigorous demands placed on those who are regulated by it to achieve higher and higher levels of pollution abatement under deadlines specified in the law.

Early on, emphasis was on controlling discharges of conventional pollutants, for example, suspended solids or bacteria that are biodegradable and occur naturally in the aquatic environment, while control of toxic pollutant discharges has been a key focus of water quality programs more recently.

My colleagues Mr. MARKEY of Massachusetts and Mr. WAXMAN of California have done an excellent job detailing many of the harms that H.R. 3409 would do. It bears repeating though, that Title V of H.R. 3409 contains H.R. 2018, which severely limits EPA's authority to apply minimum national standards to protect the nation's waters from pollution.

Title V prevents EPA from strengthening weak state water quality standards, unless the state concurs, even if the water quality standard is insufficient to protect human health or aquatic life. It also strips EPA's authority to enforce discharge limits by prohibiting the agency from objecting to state discharge permits that fail to meet the requirements of the Clean Water Act. According to EPA, this title would "overturn almost 40 years of Federal legislation by preventing EPA from protecting public health and water quality."

In addition, the title limits EPA's ability to protect waterways from the devastating effects of mountaintop removal coal mining. Mountaintop removal coal mining involves removing mountaintops to expose coal seams and disposing of the material in adjacent valleys, a process known as valley fills. This bill removes EPA's authority to veto a valley fill permit based on environmental concerns, unless the state concurs with the veto. The bill also limits the amount of time EPA, the U.S. Fish and Wildlife Service, and other agencies have to provide comments to the Army Corps of Engineers on the potential environmental impacts of a proposed valley fill operation.

Under this act, federal jurisdiction is broad, particularly regarding establishment of national standards or effluent limitations. Certain responsibilities are delegated to the states, and the act embodies a philosophy of federal-state partnership in which the federal government sets the agenda and standards for pollution abatement, while states carry out day-to-day activities of implementation and enforcement.

To achieve its objectives, the act is based on the concept that all discharges into the nation's waters are unlawful, unless specifically authorized by a permit, which is the act's principal enforcement tool. The law has civil, criminal, and administrative enforcement provisions and also permits citizen suit enforcement.

The people in the state of Texas have had a severe drought and water has become an even more sensitive topic. Indeed, in the West, Southwest, and Rocky Mountain states water management is a more prominent issue than it is in many other parts of this great nation. Given our situation in Texas I think that it is clear that we must be very careful not to upset the careful balance which scientists, engineers, and the American people have developed when managing our nation's water.

The deadlines that the Majority would like to shorten are not arbitrary but represent realistic, reasonable, and business-friendly deadlines which prudent Americans have learned to adhere to and Mr. Speaker, we do nothing by modifying those deadlines today, so I ask my colleagues to support the Jackson Lee Amendment, keeping the comment period deadlines at 90 days.

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

I rise in opposition to the gentlelady's amendment because it strikes an important provision in the bill that streamlines the section 404 permit process, not just for coal operations, but also for billions of dollars of economic activity in this Nation.

One of the loudest complaints we hear in Congress is how long it takes

the Federal Government to reach determination on permit requests. The Army Corps of Engineers is the lead Agency responsible for concluding the section 404 permit determinations. But the Clean Water Act requires the Corps to seek consultation with other Agencies like the National Marine Fisheries Service and the Fish and Wildlife Service.

Sadly, all too often, this consultation is where the needless delays occur, not because of the Corps' inaction, but because of the failure of the other agencies to provide timely information. This section, title V, simply sets a more reasonable timeframe for Federal agencies to get information to the Corps so a permit decision can be made in a timely manner.

To many of us, it is strange to see this amendment from those who purport to extol the virtues of Big Government since this amendment makes it clear they don't believe Big Government is competent enough to reach a decision in a reasonable amount of time.

This section of title V, the language which has already passed the House in a resounding bipartisan majority, will streamline the time for the consuming permit application process and ensure that $220 billion in annual economic activity associated with section 404 activities does not grind to a halt. Time is money, and this is about jobs. The slower the time it takes to get these permits done, it holds up economic job activity and the creation of jobs all across America in all sectors. I urge all Members to oppose the amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 9 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–680.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 75, line 8, before the closing quotation marks insert the following:

''(3) Following the date of issuance of a permit by the Secretary in accordance with this section, the Administrator may not take any action under paragraph (1) to retroactively invalidate the permit.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

□ 0930

Mr. MCKINLEY. Mr. Chairman, this amendment will prohibit the EPA from retroactively invalidating permits after they have been issued. On January 13, 2011, the EPA took unprecedented action by retroactively revoking a lawfully issued section 404 permit for the Spruce No. 1 surface mine in Logan County, West Virginia. This permit had been issued 4 years earlier after an extensive 10-year environmental review, including a 1,600-page environmental impact statement in which the EPA fully participated and agreed to all the terms and conditions included in the authorized permit.

But this amendment is intended to address far more than coal mines. If the EPA can retroactively revoke a water permit for this industry, they can do the same to any other manufacturer, refinery, municipality, farm, or other government agency. Imagine an entrepreneur contemplating making an investment requiring an EPA permit but then stopping once they learn that the EPA could first grant the permit, allow the business to proceed, and then invalidate the permit, crushing the investment. Or, imagine a lending institution contemplating whether or not to loan money to someone subject to an EPA regulation. Should any of us be critical of them for being reluctant once they, too, become aware that their loan could go into default once the EPA retroactively revokes the permit on which the loan was granted?

All of us in Congress should be concerned about the chilling effect these actions by the EPA have had and will have if they continue this threat to the creation of jobs by exceeding their statutory authority. At a time when our country is facing economic uncertainty and our families are struggling to make ends meet, I'm appalled by this continued assault on American businesses and families that the EPA has taken. Our job creators need a consistent and predictable regulatory program that will protect jobs we have and create new ones in an environmentally responsible manner. Remember, this amendment is not just for coal mining but rather it addresses virtually every business in America which requires certainty in their regulatory environment.

I urge your support, and I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I rise to claim time in opposition to Mr. MCKINLEY's amendment.

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

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

Mr. Chairman, this amendment would take away the EPA's authority under the Clean Water Act to retroactively deny permits to fill streams and wetlands in order to protect drinking water supplies, recreational waters, and fish and wildlife habitat. Now EPA has used this authority to veto permits after they were issued responsibly only three times in 40 years. All of these were extremely rare cases and these vetoes were necessary to protect critical water resources.

In 1981, EPA revoked a permit for a solid waste landfill because it was leaking toxics into Biscayne Bay. In 1989, after objecting to a permit before it was issued, it overturned a permit to destroy 1,200 acres of flood plain wetlands in Georgia. And in 2010, which Mr. MCKINLEY mentions, EPA denied a permit for one of the largest mountaintop removal mines in Appalachia that would have buried more than six miles of West Virginia streams and polluted downstream waters with mining waste, causing permanent damage to ecosystems and streams. The veto was not a surprise—and I stress that. EPA consistently expressed its concerns about water quality impacts of this mine beginning from 2002 to 2006, when the Corps issued the permit.

Let me stress this was an extremely rare action taken by EPA. And the first time it was used, it used the Clean Water Act to overturn an approved mining permit. The surface mining in the steep slopes of Appalachia has disrupted the biological integrity of an area about the size of Delaware, buried approximately 2,000 miles of streams with mining waste, and contaminated downstream areas with toxic elements. People have been drinking the byproducts of coal waste from mountaintop removal for more than two decades. Rather than clean and clear water running out of their faucets, the people of Appalachia are left with orange or black liquid instead.

This is not just about the environment, Mr. Speaker; it's about public health. The health problems caused by exposure to these chemicals and heavy metals include cancer, organ failure, and learning disabilities. Not only that, but there are multiple cases of children suffering from asthma, headaches, nausea, and other symptoms likely due to toxic contamination from coal dust. This is an environmental justice issue. My colleagues on the other side of the aisle will claim EPA is killing jobs. I disagree with Mr. MCKINLEY. What the EPA is doing is protecting the people of Appalachia from exposure to toxic chemicals that are harming them.

Now to put this in perspective, each year the Army Corps of Engineers processes about 60,000 permits to fill waters and grants 97 percent of them. Over 40 years, the EPA has vetoed only three of these permits retroactively. On the very rare occasion one of these permits threatens to permanently destroy our Nation's critical water resources, the EPA should have the authority to stop it. This is authority that the EPA has used very rarely, and there is no evidence that the EPA has abused this authority.

This amendment is completely unnecessary. I urge Members to oppose it and to protect EPA's authority to safeguard our waters and our drinking water sources.

I reserve the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I ask how much time remains.

The Acting CHAIR. Both gentlemen have 2 minutes remaining.

Mr. MCKINLEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. I rise in strong support of the amendment. I chair the committee. We had the hearings on this issue. And let's get straight what this issue is. His amendment stops a revocation of a permit after it's been issued. And what the gentleman just referred to is a permit. During the application process the law allows the EPA to veto a permit. But after it's been approved, this amendment takes care of not being able to revoke it years later, in the instance that it was done.

Keep in mind, the revocation that occurred was not because they were in violation of the permit. It was nothing but political theater. There was no violation of the permit. The State of West Virginia EPA stated that and the Army Corps said there was no violation of permit. This is revocation that sets a bad dangerous, precedent to economic growth in our country.

Mr. PALLONE. Mr. Chairman, I want to point out that, in addition to this being a terrible amendment, it's also an amendment that's going nowhere. And it really frustrates me that on the last day of the session before the election, this do-nothing Congress continues to bring up bills that are going nowhere—and they know are going nowhere.

For 2 years, the House Republicans have picked millionaires over Medicare and the middle class. Now they plan to leave town today without entering into law any responsible deficit reduction, any middle class tax cuts, the American Jobs Act. They have no jobs bill. The farm bill they have neglected. The Violence Against Women Act. These are all urgent priorities that we should be working on right now rather than trying to pass amendments or bills that are going nowhere.

The American people can't afford a do-nothing Republican Congress that refuses to act on issues critical to middle class families, to small businesses, to farmers, and to women. I urge the Republican leadership to just stay in town and complete our work. Don't waste our time on bills like this that are going nowhere. The Senate is never going to take this up.

Now here are a few of the things that the do-nothing Republican Congress has found time to do:

Voted to end Medicare as we know it and increase costs on seniors by $6,400.

Republicans chose millionaires over the middle class, giving more tax breaks to the wealthiest.

Republicans vote for corporations that ship jobs overseas over passing the American Jobs Act.

Republicans voted to restrict women's access to health services.

It is amazing to me that we sit here hour after hour on the last day because they refuse to continue to work and talk about bills going nowhere, when all these other major priorities need to be addressed.

I reserve the balance of my time.

Mr. MCKINLEY. Do I have the right to close?

The Acting CHAIR. The gentleman from New Jersey has 30 seconds remaining. The gentleman from West Virginia has 1¼ minutes. The gentleman from New Jersey has the right to close.

Mr. MCKINLEY. Mr. Chairman, briefly, let me just underscore here how people try to distract attention away from the argument. We've heard all these other arguments. I've heard the opponents talk about this is the first time or the third time or whatever that is. Let's go back to what the courts have said. Perhaps we need to have on the other side a little bit more education. Because the Federal courts have already struck down that initial reading. Shame on you—anyone—for not having read all this.

The Federal court said the EPA's interpretation of the act is not reasonable. Neither the statute nor the memorandum of agreement between the EPA and the Corps makes any provision for a post-permit veto, and this agency was completely unable to articulate what the practical consequences of its actions would be.

□ 0940

In addition, the court went on to say that the Clean Water Act does not give the EPA the power to render a permit invalid once it has been issued by the Corps.

We ought to put this to rest, codify it, and move on.

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

Mr. PALLONE. Mr. Chairman, I'm very much aware that the EPA's veto was challenged by the mining company, and the EPA has appealed this ruling. I'm hoping that the Court of Appeals will see the light and understand that the EPA should be able to protect the health of the people of Appalachia.

Again, this amendment is completely unnecessary, and it's part of a process where this Republican House does absolutely nothing but waste our time. We shouldn't be leaving today. We should be staying and doing our work.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

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

Mr. MCKINLEY. 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 West Virginia will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–680.

Mr. MARKEY. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the Rules Committee Print, add the following new title:

TITLE VI—COMBINED EFFICIENCY AND RENEWABLE ELECTRICITY STANDARD

SEC. 601. COMBINED EFFICIENCY AND RENEWABLE ELECTRICITY STANDARD.

(a) DEFINITIONS.—For purposes of this section:

(1) DISTRIBUTED RENEWABLE GENERATION FACILITY.—The term ''distributed renewable generation facility'' means a facility that—

(A) generates renewable electricity;

(B) primarily serves 1 or more electricity consumers at or near the facility site; and

(C) is no greater than 2 megawatts in capacity.

(2) ELECTRIC CONSUMER.—The term ''electric consumer'' has the meaning given that term in section 3 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602).

(3) ELECTRIC UTILITY.—The term ''electric utility'' has the meaning given that term in section 3 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602), except that, for the purposes of this section, such term does not include any agency, authority, or instrumentality of the United States Government.

(4) ELECTRICITY SAVINGS.—The term ''electricity savings'' means reductions in electricity consumption, relative to business-as-usual projections, achieved through measures implemented after the date of enactment of this section.

(5) FEDERAL RENEWABLE ELECTRICITY CREDIT.—The term ''Federal renewable electricity credit'' means a credit, representing one megawatt hour of renewable electricity, issued pursuant to subsection (e).

(6) RENEWABLE ELECTRICITY.—The term ''renewable electricity'' means electricity generated (including by means of a fuel cell) from a renewable energy resource.

(7) RENEWABLE ENERGY RESOURCE.—The term ''renewable energy resource'' means each of the following:

(A) Wind energy.

(B) Solar energy.

(C) Geothermal energy.

(D) Renewable biomass.

(E) Biogas or biofuels derived from renewable biomass.

(F) Hydropower generated by a hydroelectric facility placed in service after January 1, 2001.

(G) Marine and hydrokinetic renewable energy, as that term is defined in section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211).

(H) Such other energy resources as the Secretary determines appropriate.

(8) RETAIL ELECTRIC SUPPLIER.—The term ''retail electric supplier'' means, for any given year, an electric utility that sold not less than 1,000,000 megawatt hours of electric energy to electric consumers for purposes other than resale during the preceding calendar year.

(9) RETAIL ELECTRIC SUPPLIER'S BASE AMOUNT.—The term ''retail electric supplier's base amount'' means the total amount of electric energy sold by the retail

electric supplier, expressed in megawatt hours, to electric customers for purposes other than resale during the relevant calendar year, excluding—

(A) electricity generated by a hydroelectric facility that was placed in service prior to January 1, 2001;

(B) electricity generated by the combustion of municipal solid waste;

(C) electricity generated by a nuclear generating unit placed in service after the date of enactment of this section; and

(D) the proportion of electricity generated by a fossil-fueled generating unit that is equal to the proportion of greenhouse gases produced by such unit that are captured and geologically sequestered.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(11) TOTAL ANNUAL ELECTRICITY SAVINGS.—The term ''total annual electricity savings'' means electricity savings during a specified calendar year from measures implemented since the date of the enactment of this section, taking into account verified measure lifetimes or verified annual savings attrition rates, as determined in accordance with such regulations as the Secretary may promulgate and measured in megawatt hours.

(b) ANNUAL COMPLIANCE OBLIGATION.—

(1) IN GENERAL.—For each of calendar years 2014 through 2040, not later than March 31 of the following calendar year, each retail electric supplier shall submit to the Secretary an amount of Federal renewable electricity credits and demonstrated total annual electricity savings that, in the aggregate, is equal to such retail electric supplier's annual combined target as set forth in subsection (d), except as otherwise provided in subsection (g).

(2) DEMONSTRATION OF SAVINGS.—For purposes of this subsection, submission of demonstrated total annual electricity savings means submission of a report that demonstrates, in accordance with the requirements of subsection (f), the total annual electricity savings achieved by the retail electric supplier within the relevant compliance year.

(3) RENEWABLE ELECTRICITY CREDITS PORTION.—Except as provided in paragraph (4), each retail electric supplier must submit Federal renewable electricity credits equal to at least three quarters of the retail electric supplier's annual combined target.

(4) STATE PETITION.—Upon written request from the Governor of any State (including, for purposes of this paragraph, the Mayor of the District of Columbia), the Secretary shall increase, to not more than half, the proportion of the annual combined targets of retail electric suppliers located within such State that may be met through submission of demonstrated total annual electricity savings, provided that such increase shall be effective only with regard to the portion of a retail electric supplier's annual combined target that is attributable to electricity sales within such State.

(c) ESTABLISHMENT OF PROGRAM.—Not later than 1 year after the date of enactment of this section, the Secretary shall promulgate regulations to implement and enforce the requirements of this section.

(d) ANNUAL COMPLIANCE REQUIREMENT.—

(1) ANNUAL COMBINED TARGETS.—For each of calendar years 2014 through 2040, a retail electric supplier's annual combined target shall be the product of—

(A) the required annual percentage for such year, as set forth in paragraph (2); and

(B) the retail electric supplier's base amount for such year.

(2) REQUIRED ANNUAL PERCENTAGE.—

(A) IN GENERAL.—For each of calendar years 2014 through 2040, the required annual percentage shall be as follows:

Year	Required annual percentage
2014	8
2015	10
2016	12
2017	14
2018	16
2019	18
2020	20
2021	22
2022	24
2023	26
2024	28
2025	30
2026	32
2027	34
2028	36
2029	38
2030	40
2031	42
2032	44
2033	46
2034	48
2035 through 2040	50

(B) ADJUSTMENTS PERMITTED.—The Secretary may adjust the required annual percentages described in subparagraph (A) if the Secretary finds that such percentages are not technically or economically feasible or pose a threat to electric reliability.

(e) FEDERAL RENEWABLE ELECTRICITY CREDITS.—

(1) IN GENERAL.—The regulations promulgated under this section shall include provisions governing the issuance, tracking, and verification of Federal renewable electricity credits. Except as provided in paragraph (2) of this subsection, the Secretary shall issue to each generator of renewable electricity, 1 Federal renewable electricity credit for each megawatt hour of renewable electricity generated by such generator after December 31, 2013. The Secretary shall assign a unique serial number to each Federal renewable electricity credit.

(2) CREDIT MULTIPLIER FOR DISTRIBUTED RENEWABLE GENERATION.—The Secretary shall issue 3 Federal renewable electricity credits for each megawatt hour of renewable electricity generated by a distributed renewable generation facility.

(3) TRADING.—The lawful holder of a Federal renewable electricity credit may sell, exchange, transfer, submit for compliance in accordance with subsection (b).

(4) BANKING.—A Federal renewable electricity credit may be submitted in satisfaction of the compliance obligation set forth in subsection (b) for the compliance year in which the credit was issued or for any of the 3 immediately subsequent compliance years.

(f) ELECTRICITY SAVINGS.—

(1) STANDARDS FOR MEASUREMENT OF SAVINGS.—As part of the regulations promulgated under this section, the Secretary shall prescribe standards and protocols for defining and measuring electricity savings and total annual electricity savings that can be counted towards the compliance obligation set forth in subsection (b).

(2) REPORTING SAVINGS.—The regulations promulgated under this section shall establish requirements governing the submission of reports to demonstrate, in accordance with the protocols and standards for measurement and verification established under this subsection, the total annual electricity savings achieved by a retail electric supplier within the relevant year.

(g) ALTERNATIVE COMPLIANCE PAYMENTS.—

(1) IN GENERAL.—A retail electric supplier may satisfy the requirements of subsection (b) in whole or in part by submitting in accordance with this subsection, in lieu of each Federal renewable electricity credit or megawatt hour of demonstrated total annual electricity savings that would otherwise be due, a payment equal to $25, adjusted for inflation on January 1 of each year following calendar year 2014, in accordance with such regulations as the Secretary may promulgate.

(2) PAYMENTS.—Payments made under this subsection shall be deposited into the general fund of the Treasury and shall be available, subject to appropriations, to the Secretary for the administrative costs of implementing this section.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

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

My amendment is going to call for 25 percent of the electricity in the United States being generated by renewables by the year 2035.

The United States, excluding hydro, is already up to 7 or 8 percent of all of our electricity generated by renewables here in 2012. So, 23 years from now, the goal would be to reach 25 percent.

Now, why do I feel compelled to bring this amendment out here? Well, while the Republicans say that there's a war on coal, so far in this first year and 9 months that they have controlled the United States Congress, they have declared war on solar; they have declared war on wind; they have declared war on all renewables. That's why I bring this amendment down here to the House floor.

They are going to kill the production tax credit for wind energy that is going to send the wind industry off a cliff next year.

Already, 2,367 jobs have been lost in the wind industry because of Republican action. Forty thousand jobs will be lost next year because of Republican action. They are out to deliberately kill these jobs. How many will be lost? Three thousand to 4,000 jobs in Pennsylvania will be lost; 4,000 to 5,000 jobs in Colorado will be lost; 5,000 to 6,000 wind jobs will be lost in Ohio; 6,000 to 7,000 wind jobs will be lost in Iowa if the Republican policy is allowed to be put on the books.

They have declared war on wind. They have declared war on solar, on geothermal, on biomass.

Ladies and gentlemen, what my amendment does is say let's have a plan for everything else because it's not going to be a part of the Republican plan.

So, by the year 2035, 25 percent of all electricity in our country must come from renewables.

Now, how do we know this is possible? There were 12,000 new megawatts of wind installed in the United States this year; 3,200 new megawatts of solar installed in the United States this year.

So, geothermal, biomass, it's all growing. What's their goal? Kill it. That's their problem. Natural gas is

rising. It hurts the coal industry. It's the marketplace.

Wind and solar are growing, geothermal and biomass are growing. They don't want a level playing field. They want to pick winners and losers. They want to pick favorites. That's what it's all about.

So far in their control of the Congress in just a year and 9 months, they have voted to slash research and development for wind and solar, they have voted to end loan guarantees for wind and solar, they have voted to kill the transmission wires to carry wind and solar to our homes and our offices.

The Republicans are so opposed to Americans having access to clean energy that even when it is built they don't even want to have the transmission lines to get it to American homes.

It's a war on solar and wind. My amendment ensures that there is a pathway to the future for the most abundant American energy source, wind and solar, geothermal and biomass. It's all here in America.

At this point, I reserve the balance of my time.

Mr. WHITFIELD. I rise to claim time in opposition.

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

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

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

The Acting CHAIR. The gentleman from Kentucky has the right to close.

The gentleman from Massachusetts has 1¼ minutes remaining.

Mr. MARKEY. If I may inquire from the Chairman, is the majority saying that there is only one speaker remaining on their side?

The Acting CHAIR. Yes.

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

Wind and solar is the most abundant source of energy in the United States—when we capture it. Einstein won his Nobel Prize in 1921, the only one that won a Nobel Prize, and that's on how to capture the power of the sun. And now we're on the cusp of doing this successfully as the price per kilowatt hour drops and drops—and then it's all American.

And who is now looming over our shoulder, even though we invented these technologies, even though we're producing these technologies, are the Chinese, the Indians, and others who will pounce on this global opportunity to create the jobs here in the United States, to export this technology around the world even as we deploy the technology here in our country that backs out the energy sources from around the rest of the world. This is what they fear.

They fear the innovation. They fear the change. They fear our ability to capture wind and solar to be able to power the vehicles which we drive in our country, to be able to send up a cleaner source of energy up into the sky that does not pollute. That's what this battle is all about.

We do not want special advantage. All we want is a level playing field. The Republicans continue this war against wind and solar.

Vote ''aye'' for the Markey amendment, 25 percent renewable electricity by the year 2035.

I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, we haven't declared war on wind or solar or anything else. We simply don't believe that when you have a $16 trillion Federal debt that the Federal Government should use taxpayers' money to serve as venture capital for risky ventures like Solyndra that received $538 million and now is bankrupt. If this technology is so good, let the free market develop it. It does not need taxpayer support.

Yet, on the other hand, this administration has adopted policies that you can't even build a new coal-powered plant in America because there's no technology available to meet the new emissions standards of the Obama EPA.

On this particular amendment, on page 7 of the amendment, it says that by the year 2035 that 50 percent of the electricity would have to be produced from renewables. The gentleman in his comments said 25 percent, but this amendment says 50.

□ 0950

Mr. MARKEY. Will the gentleman yield? That is not accurate.

Mr. WHITFIELD. Well, I'm just reading from page 7.

Anyway, this amendment simply creates a national renewable electricity standard. We've seen it before. It was in the Markey-Waxman cap-and-trade bill in the last Congress, which was rejected by the Congress.

This amendment does nothing more than determine for the American people where their electricity will come from and that they are going to be paying more for it.

So I urge people to vote against the Markey amendment, and 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 Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. 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 Massachusetts will be postponed.

Amendment No. 11 Offered by Mr. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–680.

Mr. DEFAZIO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the Rules Committee Print, add the following title:

TITLE VI—REPORT ON FUGITIVE COAL DUST

SEC. 601. REPORT.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Secretary of Transportation shall submit to Congress a joint report on the health, environmental, and public safety impacts of fugitive dust emissions from coal transport.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Well, today, the do-nothing Congress will slink out of town. It's going to be the earliest adjournment in an election year since 1960; but, you know, I guess the Nation has no problems and there's no work undone, so it's just time to go home and campaign. It's pretty extraordinary. We've enacted one-quarter the number of bills into law of Harry Truman's do-nothing Congress, 1947–48. So I guess this is the ''do-nothing-er'' Congress.

So here we are again today. We are going to consider today—the only work today will be four bills that have previously passed the House. Someone hasn't read their civics textbooks. If you pass a bill and send it to the Senate, it's there; they'll consider it or they won't consider it. If you pass it again and send it again, it doesn't make any difference. In fact, it's somewhat repetitive and wasteful of everybody's time when we could be doing postal reform to ensure the future of the post office. We could be doing a farm bill; there are a lot of people suffering a horrible drought. We could be dealing with the sequestration, which there's concern on both sides of the aisle on that. But we're not. We're considering four bills previously passed and one new one.

Well, I have a reasonable amendment to an unreasonable bill, which is now before us, which is the one new bill before us. My amendment would ask that within 6 months—that's not very long—the Department of Transportation and the EPA submit a report to Congress on fugitive coal dust. Now, it seems a couple of extraordinary letters have been sent out saying, my God, this will stop projects and exports that are going forward—undue delay. I'm not aware of anything that would be delayed by this. It says a study will be done; it doesn't delay any ongoing applications or projects at all. But what it would do is potentially avert a tremendous amount of litigation down the road. If we find that fugitive coal dust is not a problem—which the coal industry says—then that would relieve a lot

of people in gateway ports and large cities in the West where coal dust is being proposed to transit through those cities, including cities in my district.

People are very concerned about this. They want to know, is it a problem. How far from the loading point does fugitive coal dust get emitted from the car? Are there ways to deal with the fugitive coal dust? Does the surfactant work? Is that a solution? Should the cars be covered? Is that a solution? What are the problems? What are the problems at its destination in terms of whether or not there would be coal dust at the port destinations? If the coal is stored outside, how is it transported onto the ship? Et cetera, et cetera. So if we had these answers, we could talk about the safe and clean transport and allay a lot of concerns that are ultimately going to lead to a lot of litigation unless we know.

Now, the industry says, oh, it's been studied. Well, no, it hasn't. In fact, one railroad has pursued action against the coal industry because fugitive coal dust has caused safety problems on the railroad. It gets into the ballast; it blocks the ballast from draining. The ballast destabilizes, the tracks destabilize, and trains can derail. Now, that seems to me like a problem that should be dealt with. And there may be some very, very simple ways to deal with it. Some say surfactants; some say covered cars. There are other potential solutions out there. Wouldn't it be good to know? Wouldn't it be good to know? That's all I'm saying. A 6-month study and a report to Congress won't delay anything at all. It just would give us some knowledge. And I would hope that we legislate around here with a little bit of knowledge and not just off the cuff.

With that, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise to claim time in opposition.

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

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

Mr. DEFAZIO. Does that mean there's only one speaker on their side?

The Acting CHAIR. That is correct.

Mr. DEFAZIO. May I inquire of the Chair how much time I have remaining.

The Acting CHAIR. The gentleman from Oregon has 1 minute remaining.

Mr. DEFAZIO. Again, we will hear apocryphal denouncements from the other side of the aisle—this will cost millions of jobs and billions of dollars and stymie our exports. No, it's a study. It's a study that would take 6 months. It's a study that, if it agrees with the industry's conclusions, would assure the American public that there won't be problems with these trains transiting through their hometowns.

It's something we should know. It's something the government should look at. Apparently, there are some propriety studies that we aren't allowed to see that say there's no problem. Well, if that's true, then the railroads and the industry should let the American public see those propriety studies. Really, not too many people are willing to take someone at their word when it comes to an issue of public health.

So it's a very simple amendment. It won't delay anything; it will take 6 months. It will cost very little, and it will give us the information and knowledge we need to figure out how to safely transport coal.

And with that, I yield back the balance of my time.

Mr. WHITFIELD. We have great respect for our friends on the other side of the aisle. I think we all recognize that we do have basic differences in our philosophy about the way energy is produced in America. It's quite clear that many people on the other side of the aisle are very much opposed to coal. Not only do they not want us to burn coal in America; they don't want us to export coal to other countries even though it would help our trade deficit and would preserve jobs in the coal industry.

This particular amendment on fugitive dust is really unnecessary because fugitive dust from the transport of coal is already regulated at the Federal and State level under the Clean Air Act, as well as State fugitive dust laws and regulations. EPA already is required to study the environmental and health impacts from particulate matter from all sources, including fugitive sources, and of all compositions, including coal dust. The most recent summary of that science was published by EPA in 2009 and supplemented in 2010. In fact, this week the Army Corps of Engineers also announced that it will conduct an environmental assessment of the proposed coal terminal in the sponsor's district.

So I would say that we already have adequate protection. There's no need for this amendment, although I'm sure it's offered with the very best of intentions.

So I would urge our Members to oppose this amendment and would yield back the balance of my time.

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

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

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

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

□ 1000

AMENDMENT NO. 12 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112–680.

Mr. FLAKE. Mr. Chair, I rise as the designee of the gentleman from North Dakota to offer amendment No. 12 made in order by the rule providing for consideration of H.R. 3409.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the Rules Committee Print, add the following new title:

TITLE VI—REGIONAL HAZE REGULATORY RELIEF

SEC. 601. IMPLEMENTATION PLANS.

Section 110 of the Clean Air Act (42 U.S.C. 7410) is amended—

(1) in subsection (c), by striking ''(c)(1) The Administrator'' and all that follows through the end of paragraph (1) and inserting the following:

''(c) FEDERAL PLANS.—

''(1) PLANS.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), unless the conditions described in subparagraph (B) are met, the Administrator shall promulgate a Federal implementation plan at any time after the date that is 2 years after the date on which the Administrator—

''(i) finds that a State has failed to make a required submission or finds that the plan or plan revision submitted by the State does not satisfy the minimum criteria established under subsection (k)(1)(A); or

''(ii) disapproves a State implementation plan submission.

''(B) CONDITIONS.—The conditions described in this subparagraph are that, before the date on which the Administrator promulgates a Federal implementation plan—

''(i) a State corrects a deficiency in a State implementation plan or plan revision submitted by the State; and

''(ii) the Administrator approves the plan or plan revision.

''(C) VISIBILITY PROTECTION PLANS.—In the case of a Federal implementation plan promulgated after the date of enactment of this subparagraph in place of a State implementation plan under section 169A—

''(i) the Administrator shall promulgate such Federal implementation plan only if the Administrator makes a finding that the State submitting the State implementation plan failed to consider the factors described in paragraphs (1) and (2) of section 169A(g) in preparing and submitting the plan; and

''(ii) compliance with the requirements of such Federal implementation plan shall not be required earlier than 5 years after the date of promulgation.''; and

(2) in subsection (k)—

(A) by striking paragraph (3) and inserting the following:

''(3) FULL APPROVAL AND DISAPPROVAL.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in the case of any submission for which the Administrator is required to act under paragraph (2), the Administrator shall approve the submission as a whole if the submission meets all of the applicable requirements of this Act.

''(B) REVIEW.—In reviewing any State implementation plan submitted pursuant to section 169A, the Administrator shall limit the review only to a determination of whether the State submitting the State implementation plan considered the factors described in paragraphs (1) and (2) of section 169A(g) in preparing and submitting the plan.

''(C) VISIBILITY PLANS.—The Administrator shall approve as a whole any implementation plan submitted pursuant to section 169A that was prepared and submitted after consideration of the factors described in paragraphs (1) and (2) of section 169A(g).''; and

(B) in paragraph (5)—

(i) in the first sentence, by striking ''Whenever'' and inserting the following:

''(A) IN GENERAL.—Whenever''; and

(ii) by adding at the end the following:

''(B) VISIBILITY PLANS.—Notwithstanding subparagraph (A), with respect to an implementation plan approved pursuant to section 169A, the Administrator shall only find that such a plan is substantially inadequate to meet standards for air pollutants that cause or contribute to the impairment of visibility, or any other applicable standard or requirement, under that section if the Administrator makes a finding that, in preparing the plan, the submitting State failed to consider the factors described in paragraphs (1) and (2) of section 169A(g).

''(C) EXISTING VISIBILITY PLANS.—

''(i) REQUEST FOR REVOCATION.—At any time after the date of enactment of this subparagraph—

''(I) a State may request that the existing Federal or State implementation plan for the State regarding visibility, or any determination made in calendar year 2012 or 2013 of best available retrofit technology pursuant to section 169A, be revoked; and

''(II) upon receipt of such a request, the Administrator shall revoke the implementation plan.

''(ii) SUBMISSION OF NEW OR REVISED PLAN.—Upon a revocation under clause (i)(II), the State that requested the revocation shall, not later than 2 years after such revocation, submit to the Administrator a new or revised visibility plan in accordance with this Act.''.

SEC. 602. VISIBILITY PROTECTION FOR FEDERAL CLASS I AREAS.

Section 169A of the Clean Air Act (42 U.S.C. 7491) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''as may be necessary'' and inserting ''as the State determines, at the sole discretion of the State after considering factors described in this section and providing adequate opportunity for public comment, may be necessary''; and

(2) in subsection (g)—

(A) by striking paragraph (1) and inserting the following:

''(1)(A) in determining reasonable progress, there shall be taken into consideration—

''(i) the costs of compliance;

''(ii) the time necessary for compliance;

''(iii) the energy and nonair quality environmental impacts of compliance;

''(iv) the remaining useful life of any existing source subject to requirements under this section;

''(v) the degree of improvement in visibility that may reasonably be anticipated to result from measures described in the applicable implementation plan; and

''(vi) the economic impacts to the State (including people of the State);

''(B) in consideration of costs of compliance pursuant to subparagraph (A)(i), the State may use source-specific cost estimations developed by a licensed professional engineer as an alternate to other methods of estimation approved by the Administrator; and

''(C) in consideration of the degree of improvement in visibility pursuant to subparagraph (A)(v), the State may use alternate modeling techniques or methods than those prescribed by the Administrator in the Agency's 'Guideline on Air Quality Models' under appendix W to part 51 of title 40, Code of Federal Regulations, and, where available, measured emissions and monitoring data shall be used;'';

(B) in paragraph (2)—

(i) by striking ''(2) in determining best available retrofit technology the State'' and inserting the following:

''(2) in determining the best available retrofit technology—

''(A) the State'';

(ii) in subparagraph (A) (as designated by clause (i)), by inserting ''the economic impacts to the State (including people of the State),'' after ''life of the source,'';

(iii) by striking ''technology;'' and inserting ''technology; and''; and

(iv) by adding at the end the following:

''(B) in consideration of the costs of compliance pursuant to subparagraph (A), the State may use source-specific cost estimations developed by a licensed professional engineer as an alternate to other methods of estimation approved by the Administrator;

''(C) with respect to consideration of the degree of improvement in visibility pursuant to subparagraph (A)—

''(i) the State may use alternate modeling techniques or methods than those prescribed by the Administrator in the Agency's 'Guideline on Air Quality Models' under appendix W to part 51 of title 40, Code of Federal Regulations;

''(ii) the State may consider the degree of improvement in visibility in the mandatory class I Federal area that is most affected by emissions from the source without considering the degree of improvement in visibility in any other such area; and

''(iii) the Administrator (in any case in which the Administrator has authority to determine emission limitations which reflect such technology) may not consider the degree of improvement in visibility in any area other than the mandatory class I Federal area that is most affected by emissions from the source; and

''(D) the determination of best available retrofit technology by the State for any source shall be subject to review by the Administrator, an administrative entity, or a Federal or State court only pursuant to a clearly erroneous standard of review;''; and

(C) in paragraph (4), by striking ''(or the date of promulgation of such a plan revision in the case of action by the Administrator under section 110(c) for purposes of this section)''.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair, and I'll immediately yield 1 minute to the gentleman from North Dakota (Mr. BERG).

Mr. BERG. I thank the gentleman for yielding and joining me in this amendment. I rise to support our amendment to ensure States continue to have control over regional haze regulations.

When Congress first established EPA's Regional Haze Program, it acknowledged that regional haze and visibility regulation has to do purely with aesthetic value and not public health. For that very reason, Congress emphasized that the States, not EPA, should be the decisionmakers when it comes to regulations of regional haze.

Instead of empowering States to do what's best for their citizens, the Obama administration has, again, imposed another costly one-size-fits-all regulation for the producers of energy, who are the most critical job creators in my State and across the country.

Our amendment will limit EPA's availability to override States' management of regional haze, and it empowers States to implement their own regional haze management plans, the plans that best fit their individual needs.

It's time to stop the war on coal, and I urge my colleagues to support our amendment on the underlying bill.

Mr. WAXMAN. Mr. Chairman, I seek to claim the time in opposition to the amendment.

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

Mr. WAXMAN. Mr. Chairman and my colleagues, I oppose this amendment. It would make a terrible bill even worse.

Our Nation's environmental laws are founded on cooperative federalism. This is how it works:

The Federal Government sets minimum standards to assure that every American has a basic level of protection so no one is forced to breathe dirty air or drink dirty water. Then the States decide how to meet those standards, or set stronger standards if they choose. The States also implement the programs they adopt. Finally, if a State fails to act, EPA can step in and do the job itself.

This approach has worked well for over 40 years. It means that there is a healthy give-and-take between the States and the Environmental Protection Agency. The States receive Federal funds, and they run their own programs. But EPA has the tools to encourage the States to do more, where necessary.

Before Congress adopted the Clean Air Act in 1970 and the Clean Water Act in 1972, both signed by President Nixon, it was up to the States to control pollution. The problem was that many of them didn't do it. We had rivers catch on fire, smog so thick you couldn't see nearby mountains, and a tremendous toll on public health and lives.

It wasn't that States didn't want to clean up pollution, but if there are no minimum standards, States are forced into a race to the bottom. If a State wants to reduce pollution from oil refineries, the oil industry can threaten to build its new refineries in another State with looser requirements. The result is that States were afraid to require industry to clean up to the levels needed to protect the public.

This amendment, like other provisions already in the bill, overthrows the principles of cooperative federalism that have guided us for 40 years. Instead, it would leave various pollution control decisions almost entirely up to the States.

The proponents of this amendment claim that it is about EPA's Regional Haze Program. Every Member should understand that this amendment is not limited to regional haze.

The first part of the amendment is remarkably broad. It applies to all of the criteria air pollutants regulated by the States—smog, NO_X, fine particulates—and it applies in every area that is not meeting the health-based air quality standards.

This amendment says that even when a State fails to act, fails to control air pollution, EPA can no longer provide a backstop. EPA must wait at least 2 years before they can fill in for the States' failures. And there's no deadline for EPA ever to act, allowing unhealthy air quality to persist indefinitely. Citizens of that State would no longer have any recourse.

The second part of this amendment effectively eliminates minimum national criteria to protect air quality in our national parks.

The Clean Air Act has special provisions to protect air quality in the pristine lands that the Nation has set aside for all Americans to enjoy—our national parks, national monuments, and wilderness areas. After all, we go to the Grand Canyon to see the view. There's little point in protecting these lands if we allow their air and water to be polluted.

This amendment targets those Clean Air Act provisions. It says that when it comes to protecting the air quality of the national parks that belong to all Americans, the State where a park is located has sole discretion to decide how much, if any, pollution control would be required. EPA would no longer be able to require a minimum level of pollution reductions, and if the State failed to act entirely, as some have done, EPA would no longer be able to step in and set pollution controls.

The practical effect of this amendment would be to allow some of the oldest and dirtiest power plants in the country to continue polluting without standard pollution controls. I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. FLAKE. I yield 1 minute to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I would like to support and thank my colleagues, Congressmen JEFF FLAKE and RICK BERG, and support this amendment.

I represent the areas where two of the Arizona plants threatened by the EPA's heavy-handed regulations are located, the Coronado Generating Station in St. Johns and the Cholla plant near Joseph City. The third plant, the Apache Generating Station, near Wilcox, is just 100 miles away and serves a good portion of my constituents in the southern part of my district. These are bedrock to our local communities. They provide high-paying jobs where unemployment is already over 10 percent.

Over the August recess, the Environmental Protection Agency held public hearings in Phoenix, Holbrook, and Benson on their Federal plan. Each of the hearings in rural Arizona had over 300 people present. That is an incredible turnout in these relatively small towns. That is how important this issue is to my constituents.

The EPA refused to hold a hearing in St. Johns, despite being a community directly impacted by the regulations, so I hosted a meeting to facilitate the submission of public comments. On a night where the local high school had their first football game and the county fair was taking place, we still had over 100 people show up.

Listen, everybody wants clean air and good-paying jobs. The fact of the matter is the EPA is acting well beyond its authority and under public law in my State and many others across the country.

Vote ''yes'' for our amendment.

Mr. WAXMAN. I urge Members to oppose this amendment and yield back the balance of my time.

Mr. FLAKE. I yield 1 minute to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Well, this is an interesting conversation when you deal with how this all came about.

In January of 2009, the Sierra Club and several other organizations sued the EPA to expand their authority, to expand what was the law. The EPA ruled out of court in a settlement with them, and what was taken to a judge is a consent decree to expand what was the policy, what was the law.

So several questions have to be answered here. One is: Does the executive branch have the authority to be able to change a law through an agreement with the Sierra Club or any other organization?

Number 2 is: What is this all about? If you're dealing with visibility issues, you're dealing not with health issues specifically stated in the air quality—and all that happened with regional haze was this is not about health; this is about visibility.

In my State, there's one of the national parks that will change 2 deciviews with the Federal implementation plan rather than the State implementation plan.

□ 1010

That will cost ratepayers in Oklahoma millions and millions of dollars for something that cannot be seen by the human eye. This is about jobs, and this is about who makes the decision. I do not like the assumption that only people in Washington, D.C., care about the people of Oklahoma. The people of Oklahoma care about the health and safety of the people of Oklahoma.

I would vote ''yes'' for this amendment.

Mr. FLAKE. I thank the gentleman from Oklahoma, the gentleman from Arizona, and the gentleman from North Dakota for cosponsoring this amendment.

As the gentleman mentioned, what we are talking about here is regional haze. This is not a health issue. It is a visibility issue.

As for the implementation plans being considered by the Federal Government, let me just take the Navajo Generating Station in northern Arizona. What is being considered is likely an SCR fix, selective catalytic reduction, which would cost $1.1 billion. That would cause the owners of the Navajo Generating Station to simply shut it down. They can't produce economically with these kinds of burdens.

The benefits of that, we are told by the EPA, are that there would be no perceptible improvements in visibility—none. Manmade sources make up, at best, 5 percent of all regional haze in Arizona. This is 5 percent at best. So you require a fix costing $1.1 billion. For what? For no perceptible improvement in visibility at the Grand Canyon.

Why are we doing this?

The costs to Arizona are immense: 85 percent of the power generated—or used—by the Central Arizona Project to pump water for farmland and whatever else comes from the Navajo Generating Station. If you shut down that station, farmers will have to go back to groundwater where they can. What does that do? That depletes our underground resources, causing environmental havoc. This is madness what is going on.

What this amendment seeks to do is to force the EPA to actually follow the law. The law requires that the EPA set the standard, and then the State offers a State Implementation Plan, or a SIP. The problem is that the EPA is ignoring what the State submits and then entering into negotiations with third-party groups—environmental groups or others—and ignoring the State.

We can't allow this to happen anymore. That's why this is a good amendment. I urge its adoption.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 13 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112–680.

Mr. GOSAR. I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the Rules Committee Print, add the following:

TITLE VI—NO REGIONAL HAZE REGULATION ON THE COAL-POWERED NAVAJO GENERATING STATION

SEC. 601. LIMITATION ON AUTHORITY TO ISSUE REGULATIONS.

The Administrator of the Environmental Protection Agency shall not promulgate any Federal implementation plan pursuant to section 169A or 169B of the Clean Air Act (42 U.S.C. 7491, 7492; relating to visibility protection) that would—

(1) adversely impact employment at the coal-powered Navajo Generating Station or

other coal-fired power plants and coal mines on tribal lands in northern Arizona;

(2) directly or indirectly diminish the revenue received by the Federal Government or any State, tribal or local government by reducing through regulation the amount of coal that is available for mining on Navajo and Hopi Reservation lands;

(3) cause a reduction in coal-based revenue to meet financial obligations required by federally authorized Indian water rights settlements, pursuant to section 403(f) of the Colorado River Basin Project Act (43 U.S.C. 1543(f)):

(4) reduce the amount of coal, or increase the cost of coal, available for the Navajo Generating Station's Federal responsibility to deliver water and power, as authorized by the Colorado River Basin Project Act (43 U.S.C. 1501 et seq.); or

(5) expose the United States to liability for taking the value of tribally-owned coal in northern Arizona through regulation.

The Acting CHAIR. Pursuant to House Resolution 788, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

Today, I am pleased to put forth an amendment to protect the residents of Arizona from the EPA's attacks on the Navajo Generating Station, which is located near Page, Arizona. The uncertainty surrounding proposed EPA regulations and their effects on the Navajo Generating Station were some of the first issues brought to my attention when I was sworn into Congress.

The overreaching regulations would effectively shut down this critical and unique plant. A closure would dramatically increase the cost of water and power for my constituents, and it would eliminate thousands of tribal and nontribal jobs—all for no discernible improvement in visibility. Again, according to the Federal Government, itself, no discernible improvement in visibility.

You see, this plant is unique because it is owned by six entities, including the Federal Government. It was part of a plan created by visionaries so that we could provide power to move water from the Colorado River, through the largest aqueduct system ever constructed in the United States, to the people of Arizona. You can see it across here. In fact, the CAP delivers water to up to 80 percent of my State's population. This includes 45 percent of Phoenix's water, which is the fifth largest city in the United States, and 80 percent of the water to the 32nd largest city in the United States, which is Tucson.

The Arizona we know today would, without a doubt, not exist if it were not for this plant. The Navajo Generating Station and the associated coal mine directly employ over 1,000 Arizonans, who are mostly Native Americans. Additionally, according to an Arizona State University study, the plant will indirectly account for more than $20 billion in gross State product and will indirectly provide for 3,000 jobs annually over the next 40 years.

I also want to point out a complicated but important part of this issue. The Federal Government is actually working against itself with these regulations. Revenues from the sale of excess power generated by the plant are used to repay the Federal Government's debt for the construction of the CAP project. They are also used to help pay for the costs of congressionally authorized Indian water rights settlements between the Federal Government, tribes, and entities within Arizona. So, without these revenues, the Federal Government will be undermining its own legal agreements with Native Americans and the people of Arizona.

Let's put an end to this insanity. Vote for my amendment, and stop the EPA from issuing far-reaching regulations that threaten jobs, Arizona's water supply, affordable electricity, and tribal rights established with Congress.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

Mr. WAXMAN. This amendment is narrower than many of the provisions in this bill.

Instead of providing a blanket get-out-of-jail-free card for many polluters, like most of the provisions in this bill, this amendment provides a blanket get-out-of-jail-free card for one polluter—the Navajo Generating Station in Arizona. The amendment prohibits EPA from requiring pollution controls if it would adversely impact employment at the Navajo Generating Station or at other coal plants or coal mines on tribal lands in northern Arizona.

Now, if you listened to the debate on the last amendment, you might have thought this is another dispute about whether EPA or the States should set the standards; but Arizona has no authority to control air pollution on tribal lands, and the tribe has not established its own program to set the standards. That means, by barring EPA from requiring pollution controls, this amendment would have the effect of ensuring modern pollution controls are not installed on this plant.

And that's a problem.

The Navajo Generating Station is a huge power plant—over 2,000 megawatts. It's also old. The Navajo Generating Station began operating almost 40 years ago, and it was built without standard pollution controls. And it's dirty. This plant spews almost 20,000 tons of nitrogen oxides, or NO_X, each year. This is a dangerous air pollutant. NO_X forms small particles that penetrate deep into the lungs, causing emphysema, bronchitis and other respiratory diseases, heart attacks, and premature deaths.

The Navajo Generating Station is the fifth highest emitter of NO_X pollution in the United States, and this plant harms the air quality at 11 national parks and wilderness areas. These are some of our Nation's most treasured and popular national parks. Almost 12 million Americans visit these parks each year. They travel there because it's part of our natural heritage of the Nation and because it belongs to all of us—but not if this amendment passes.

This amendment says that polluters' interests in continuing to pollute trumps Americans' interests in having clean air in their national parks. This amendment would remove EPA's authority to protect clean air in the national parks, so I urge my colleagues to stand up for clean air and to oppose this amendment.

I reserve the balance of my time.

Mr. GOSAR. Mr. Chairman, I yield 90 seconds to my friend from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I thank the gentleman for yielding.

Mr. Chairman, this amendment is offered by Mr. GOSAR from Arizona, and it confronts a stunning example of environmentalism run amuck. If the Navajo Generating Station is forced to close due to the EPA's nonsensical actions, it would be devastating to the economies of the surrounding region, including those of the Hopi and Navajo Tribes.

As the sole remaining buyer of coal from the Hopi Tribe, shutting down the Navajo Generating Station would cut nearly 90 percent of the tribe's income, and it would effectively shut down the Hopi Tribe as a functioning government in addition to putting hundreds of Arizonans, including hundreds of members of the Navajo Tribe, out of work and affecting hundreds of thousands of Arizonans' current ability to receive water and electricity.

□ 1020

In exchange for all of the difficulties created, the only ''benefit'' yielded would be a slight change in visibility, so slight as to not even be detectable without specialized equipment that is significantly more sensitive than the human eye. In other words, Mr. Chairman, the supposed environmental benefit is functionally nonexistent. This is far beyond the pale of environmental stewardship.

Mr. Chairman, I commend Mr. GOSAR for offering this amendment, and I sincerely encourage my colleagues to support it.

Mr. WAXMAN. Mr. Chairman, the EPA is not going to shut down the power plant; but if this amendment passes, they can do nothing to get some reductions in pollution and work with the power plant to accomplish that goal.

I now yield 1½ minutes to the gentleman from New Mexico (Mr. LUJÁN).

Mr. LUJÁN. Mr. Chairman, I rise in opposition to the amendment.

This amendment is being offered under the guise of protecting tribal sovereignty when we have seen the

complete opposite from the majority during this Congress. We have seen time and time again the majority's willingness to ignore tribal issues that are important to Indian country. A case in point is a bill the gentleman from Arizona (Mr. GOSAR) sponsored, H.R. 1904, entitled the Southeast Arizona Land Exchange. This was a giveaway of a sacred site of the San Carlos Apache Tribe in Arizona to a copper mining company.

When the bill was considered, we heard desperate pleas from tribes across the country asking us to stop a foreign-owned mining company from bulldozing their sacred sites in the name of profit. I offered an amendment to protect the sacred sites. It was straightforward and still would have allowed the mining to take place, but it would have protected those sacred sites. The Republican majority defeated the amendment.

Another example is a refusal by some Members who are on the floor today to cosponsor the Radiation Exposure Compensation Act. My bill would address years of suffering by those negatively impacted by uranium mining on the Navajo Nation. To this day, members of the Navajo Nation are sick and suffering from the legacy of uranium mining: cancer, kidney disease, and, in severe cases, even death. When I visited with Navajo elders and talking with people impacted by exposure, they asked me, Are people in Congress waiting for us to die for the problem to go away? Maybe someone should answer that question.

The Acting CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. Mr. Chairman, I yield an additional 30 seconds to the gentleman from New Mexico.

Mr. LUJÁN. Mr. Chairman, my Republican colleagues come down here to say they are supporting and protecting tribal sovereignty with this amendment. Let's take a hard look at their track record on these issues. They seem to only want to support tribal sovereignty when it's convenient, as Mr. GOSAR's amendment clearly demonstrates. Before offering this amendment, did the gentleman from Arizona even consult with the Navajo Nation on this amendment?

What we should be doing is encouraging government-to-government consultation between the tribe and EPA to solve this issue, not by forcing an amendment.

Mr. GOSAR. Mr. Chairman, I yield the balance of my time to my good friend, Mr. SCHWEIKERT, from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, I thank the gentleman.

This is one of those moments of wondering where you begin with some of the absurdity that we hear. I think this might be one. I skipped the last set of comments because they had nothing to do with this amendment.

The agreement is already there to spend the $45 million to do the high-temperature NO_X incineration. As this is way outside of my expertise, that's my understanding. The EPA is coming back and pushing and pushing and pushing to spend $1.1 billion for an almost statistically insignificant improvement.

What you're really observing here is the classic case that we see over and over on this sort of issue of an environmental political feeder up against reality. The math isn't reality.

I used to chair the Indian Affairs Committee at my State legislature. I've spent more time on Native American lands in Arizona than I bet anyone in this body. The fact of the matter is if the EPA gets their way here, it's going to bust a number of the water compacts and a bunch of our agreements with those Indian communities.

Mr. WAXMAN. Mr. Chairman, this is an amendment that would do more harm than good, and I urge my colleagues to oppose it.

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

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

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

Mr. WAXMAN. 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 112–680 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. MARKEY of Massachusetts.

Amendment No. 3 by Mr. WAXMAN of California.

Amendment No. 4 by Mr. KELLY of Pennsylvania.

Amendment No. 5 by Mr. MARKEY of Massachusetts.

Amendment No. 8 by Ms. JACKSON LEE of Texas.

Amendment No. 9 by Mr. MCKINLEY of West Virginia.

Amendment No. 10 by Mr. MARKEY of Massachusetts.

Amendment No. 11 by Mr. DEFAZIO of Oregon.

Amendment No. 12 by Mr. FLAKE of Arizona.

Amendment No. 13 by Mr. GOSAR 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. 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 vote was taken by electronic device, and there were—ayes 174, noes 229, not voting 26, as follows:

[Roll No. 592]

AYES—174

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

NOES—229

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
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Fincher
Flake

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

NOT VOTING—26

Ackerman
Akin
Bass (CA)
Berman
Bishop (UT)
Castor (FL)
Ellison
Farenthold
Filner
Gallegly
Garrett
Granger
Himes
Jackson (IL)
Jenkins
Landry
Mack
Marchant
Moore
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier
Sullivan

□ 1049

Messrs. HARPER, YOUNG of Indiana, and GARY G. MILLER of California changed their vote from ''aye'' to ''no.''

Messrs. THOMPSON of California, LoBIONDO, TOWNS, and RUSH changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 592, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

Ms. MOORE. Mr. Chair, on rollcall No. 592, had I been present, I would have voted ''aye.''

Mr. BILBRAY. Mr. Chair, during today's vote on H.R. 3409, the Stop the War on Coal Act, I inadvertently voted ''no'' on Congressman ED MARKEY's amendment No. 13, the first amendment voted on the bill. I would have voted ''aye'' on Mr. MARKEY's amendment, rollcall No. 592.

Mrs. BIGGERT. Mr. Chair, I inadvertently voted ''no'' on rollcall 592. I would like to be recorded as voting ''aye.''

Stated against:

Mr. GARRETT. Mr. Chair, on rollcall No. 592, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted ''no.''

AMENDMENT NO. 3 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAXMAN) 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 178, noes 229, not voting 22, as follows:

[Roll No. 593]

AYES—178

Andrews
Baca
Baldwin
Barber
Barrow
Bass (NH)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
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
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
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—229

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
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
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
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—22

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Johnson (GA)
Landry
Lucas
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Sessions
Shimkus
Speier
Sullivan

□ 1055

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 593, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Ms. MOORE. Mr. Chair, during rollcall vote No. 593, I mistakenly recorded my vote as "no" when I should have voted "aye."

Stated against:

Mr. GARRETT. Mr. Chair, on rollcall No. 593, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "no."

AMENDMENT NO. 4 OFFERED BY MR. KELLY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. KELLY) 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 242, noes 168, not voting 19, as follows:

[Roll No. 594]

AYES—242

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
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
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Towns
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—168

Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Barton (TX)
Becerra
Berkley
Bilbray
Bishop (GA)
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
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
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
Young (FL)

NOT VOTING—19

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier
Sullivan

□ 1100

Mr. GUTIERREZ changed his vote from "aye" to "no."

Messrs. PAUL, JONES, and BARTLETT changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GARRETT. Mr. Chairman, on rollcall No. 594 I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 594, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 5 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 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 164, noes 246, not voting 19, as follows:

[Roll No. 595]

AYES—164

Andrews
Baca
Baldwin
Barber
Becerra
Berkley
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
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson

Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
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—246

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
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
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
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
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
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—19

Ackerman
Akin
Bass (CA)
Berman
Bilirakis
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1104

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 595, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Stated against:

Mr. GARRETT. Mr. Chair, on rollcall 595, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "no."

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 164, noes 247, not voting 18, as follows:

[Roll No. 596]

AYES—164

Andrews
Baca
Baldwin
Barber
Becerra
Berkley
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
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—247

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Holt
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
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
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)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—18

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1110

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 596, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''aye.''

Stated against:

Mr. GARRETT. Mr. Chair, on rollcall No. 596, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted ''no.''

AMENDMENT NO. 9 OFFERED BY MR. MCKINLEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY) 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 247, noes 163, not voting 19, as follows:

[Roll No. 597]

AYES—247

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Gene
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
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
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
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
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)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—163

Andrews
Baca
Baldwin
Barber
Bass (NH)
Becerra
Berkley
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
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Fudge
Garamendi
Gonzalez
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Manzullo
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
Rangel
Reichert
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—19

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Johnson (IL)
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier

□ 1113

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MANZULLO. Mr. Chair on rollcall No. 597, I inadvertantly voted ''no'' on Mr. MCKINLEY's amendment. Had I voted correctly, I would have voted ''aye.''

Mr. GARRETT. Mr. Chair, on rollcall No. 597, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted ''aye.''

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 597, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. JOHNSON of Illinois. Mr. Chair, on rollcall No. 597, I was off the floor and inadvertantly missed the vote. Had I been present, I would have voted ''present.''

AMENDMENT NO. 10 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 160, noes 250, not voting 19, as follows:

[Roll No. 598]

AYES—160

Andrews
Baca
Baldwin
Barber
Bass (NH)
Becerra
Berkley
Bilbray
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
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
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)
Platts
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—250

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
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
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Maloney
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
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—19

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Gohmert
Granger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier

□ 1119

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcll 598, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Stated against:

Mr. GARRETT. (Mr. Chair), on rollcll No. 598, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "no."

AMENDMENT NO. 11 OFFERED BY MR. DEFAZIO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) 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 168, noes 243, not voting 18, as follows:

[Roll No. 599]

AYES—168

Andrews
Baca
Baldwin
Becerra
Berkley
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
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—243

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Larsen (WA)
Latham
LaTourette

Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
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
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—18

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1123

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 599, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Stated against:

Mr. GARRETT. Mr. Chair, on rollcall 599, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "no."

AMENDMENT NO. 12 OFFERED BY MR. FLAKE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 183, not voting 18, as follows:

[Roll No. 600]

AYES—228

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Costello
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
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—183

Altmire
Andrews
Baca
Baldwin
Barber
Bass (NH)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
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—18

Ackerman
Akin
Bass (CA)
Berman
Filner
Gallegly
Garrett
Granger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1127

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GARRETT. Mr. Chair, on rollcall No. 600, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 600, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT NO. 13 OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) 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 226, noes 181, not voting 22, as follows:

[Roll No. 601]

AYES—226

Adams
Aderholt
Alexander
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gardner
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
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
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—181

Altmire
Amash
Andrews
Baca
Baldwin
Barber
Barrow
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burton (IN)
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
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—22

Ackerman
Akin
Bass (CA)
Berman
Black
Filner
Gallegly
Garrett
Granger
Harris
Herger
Jackson (IL)
Jenkins
Landry
Mack
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Speier
Wilson (SC)

□ 1131

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. GARRETT. Mr. Chair, on rollcall No. 601, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 601, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

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. YODER) 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. 3409) to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2013, under the Surface Mining Control and Reclamation Act of 1977, and, pursuant to House Resolution 788, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. CAPPS. Mr. Speaker, I have a motion to recommit at the desk.

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

Mrs. CAPPS. Yes, I am opposed.

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

The Clerk read as follows:

Mrs. Capps moves to recommit the bill H.R. 3409 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

At the end of title II of the bill, insert the following new section:

SEC. 203. ENSURING CONSUMERS PAY LESS FOR GAS AND THAT FUEL EFFICIENT AUTOMOBILES CONTINUE TO BE MADE IN AMERICA.

(a) FINDINGS.—Congress finds as follows:

(1) The standards of the national program to improve fuel efficiency and reduce pollution for light-duty cars and trucks will provide major economic and consumer benefits to the United States.

(2) The standards will save families more than $1.7 trillion in fuel costs and reduce America's dependence on oil by more than 2 million barrels per day in 2025, which is equivalent to one-half of the oil which our Nation currently imports from OPEC countries each day.

(3) As a result of the standards, a family with a model year 2025 vehicle will save more than $8,000 in fuel costs over the life of the vehicle compared to a 2011 year vehicle.

(4) As a result of the standards, average net savings for the owner of a 2025 vehicle will be equivalent to a drop in fuel prices of $1 per gallon.

(b) PRESERVATION OF RULE.—Section 330 of the Clean Air Act, as added by section 201 of this Act, shall not apply with respect to the final rule issued by the Environmental Protection Agency and the Department of Transportation on August 28, 2012, relating to standards for pollution control and fuel efficiency for model year 2017 and later light-duty vehicles, and such rule shall take effect on the effective date specified in the rule, if nullification of such rule would result in—

(1) consumers, on average, paying more for gasoline over the life of their motor vehicles; or

(2) the loss of jobs in the United States automobile manufacturing industrial sector or a negative impact on the overall United States economy.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

□ 1140

Mrs. CAPPS. Mr. Speaker, there are many times when we come to this floor and engage in heated debate, and we've heard some heated debate on this bill. But my final amendment offers us the opportunity to come together to do something extraordinarily important, and that is to ensure our constituents' hard-earned cash is redirected away from the gas pump and back into their wallets. I want to be clear, the passage of this amendment will not prevent the passage of the underlying bill. If it's adopted, my amendment will be incorporated into the bill and the bill will be immediately voted upon.

Now I make no apologies for opposing this bill. Regardless of how you feel about the bill, my amendment should be something we could all agree on.

My amendment preserves new fuel efficiency standards issued last month if their repeal would mean higher prices at the pump for our constituents or lost jobs for our workers. These new standards raise fuel efficiency to 54.5 miles per gallon. That's roughly twice the mileage our cars are getting today.

By 2025, these standards will save consumers $1.7 trillion at the gas pump, and they will cut our oil imports by 2 million barrels per day. That's one half our current imports for OPEC. They also represent a new chapter for American ingenuity.

Mr. Speaker, if U.S. engineers made it possible for every car to include a computer more powerful than the one that sent a man to the Moon, then surely they can produce cars that go further on a gallon of gas. The good news is they can and they are.

There are now 57 fuel-efficient models available in showrooms today, up from 27 models in 2009. Car makers have retooled some of their most popular models to boost efficiency, and the improvements keep coming.

The first half of this year set the record for highest-ever fuel efficiency for new vehicles. Consumers are rewarding these breakthroughs. Fuel efficiency is the top concern for car buyers by far, and this is according to Consumer Reports.

Consumers support these new standards. Families will save an estimated $8,000 in gasoline costs over the lifetime of their car, and that's equivalent to lowering the price of gasoline by $1 per gallon. These new standards also provide something consumer trends cannot: long-term certainty. And that's why three major automakers—General Motors, Ford, and Chrysler—all support them.

Strong standards tell carmakers exactly what goal they need to reach by when so they can invest in innovation, deploy new technologies, and build cars right here in America. When they do that, they hire more workers. More than 150,000 Americans have jobs making parts for and assembling more efficient cars in America today. Car makers are moving production to our shores also.

One car maker alone, Honda, recently announced plans to move all global Civic hybrid manufacturing to Indiana from Japan, creating 300 jobs by the end of the year.

This onshoring of jobs is because of our commitment to making more efficient cars and components in America. That's why GM's CEO, Dan Akerson, called these standards, ''a win for American manufacturers for the very first time.''

Mr. Speaker, everybody wins when more efficient cars hit the road. American workers win, drivers win, and automakers. These standards demonstrate the best of America, how creating jobs goes hand-in-hand with protecting the environment and health, how drivers can save billions in gasoline costs, how the American auto industry can compete with any country in the world. That's why we must preserve these historic standards and the enormous benefits that come with them by voting for my final amendment.

Mr. Speaker, I respectfully ask that all colleagues weigh this simple proposition: Do you want your constituents to pay less at the pump and drive more efficient cars made in America? If your answer is yes, then vote for my amendment. It ensures that our constituents will save thousands of dollars every year at the gas pump, and it makes sure that American workers will find jobs building the cars of the future right here in America.

Today we have the opportunity to speak with one voice, to save these landmark car efficiency standards. It's up to us. Support this final amendment to the bill.

I yield back the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I rise in opposition to the motion to recommit.

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

Mr. JOHNSON of Ohio. Mr. Speaker, this motion is nothing more than a distraction from the underlying legislation that we're considering today, and the journey that we began in January of 2011 to cut government spending, to create jobs and, today, to stop the administration's war on the coal industry.

We, all of us in this Chamber, sat here a little over a year ago, and we heard an address by the Prime Minister of Australia. She started her speech off by saying, you know, I remember being a young girl, sitting on the floor of my living room watching as Neil Armstrong and Buzz Aldrin landed on the Moon.

She went on to talk about that era of innovation in America, what that meant and how that inspired the rest of the world. Do we need to be reminded that it was the coal industry that fueled America's innovative engine and powered America's innovative wheels during that period of innovation? I don't think so. Today's underlying legislation, it's about the thousands of jobs that have already been cut from the coal industry, the thousands more that are in jeopardy to be cut from the coal industry.

It's about the millions of Americans and America's businesses that are paying skyrocketing prices, 23 million Americans underemployed, and yet we've got an administration that wants to attack the very reliable energy source that would fuel a resurgence in manufacturing and put America back to work.

Ladies and gentlemen, I implore to you, defeat this motion to recommit. Vote on the final passage of this legislation today. Let's get America back to work and stop the administration's war on coal.

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

Mrs. CAPPS. 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 173, noes 233, not voting 23, as follows:

[Roll No. 602]

AYES—173

Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
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
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
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
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
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—233

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
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
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
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—23

Ackerman
Akin
Bass (CA)
Berman
Cohen
Filner
Gallegly
Garrett
Granger
Issa
Jackson (IL)
Jenkins
Landry
Luján
Mack
McGovern
Pearce
Ross (AR)
Ruppersberger
Ryan (WI)
Shimkus
Smith (TX)
Speier

□ 1159

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 602, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

Stated against:

Mr. GARRETT. Mr. Speaker, on rollcall No. 602, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "no."

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

Mrs. CAPPS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 233, noes 175, not voting 21, as follows:

[Roll No. 603]

AYES—233

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

NOES—175

Andrews
Baca
Baldwin
Barber
Bass (NH)
Becerra
Bilbray
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
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Hayworth
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reichert
Reyes
Richardson
Richmond
Rigell
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Woolsey
Yarmuth

NOT VOTING—21

Ackerman	Granger	Pearce
Akin	Jackson (IL)	Ross (AR)
Bass (CA)	Jenkins	Ruppersberger
Berman	Landry	Ryan (WI)
Filner	Mack	Sessions
Gallegly	Miller, Gary	Shimkus
Garrett	Murphy (CT)	Speier

□ 1208

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. GARRETT. Mr. Speaker, on rollcall No. 603, I was unable to be in attendance for this vote as I was attending the funeral of a family member. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 603, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Ms. BERKLEY. Mr. Speaker, I mistakenly voted "aye" on rollcall No. 603. My intention was to vote "no."

PERSONAL EXPLANATION

Mr. RYAN of Wisconsin. Mr. Speaker, during the course of the week, I was absent for legislative business; had I been present, I would have cast the following votes:

Rollcall 585—H.R. 5044—On Motion to Suspend the Rules and Pass, as Amended—"yes."

Rollcall 586—H.R. 5912—On Motion to Suspend the Rules and Pass, as Amended—"yes."

Rollcall 587—H. Res. 788—On Ordering the Previous Question—"yes."

Rollcall 588—H. Res. 788—On Agreeing to the Resolution—"yes."

Rollcall 591—H.R. 5987—On Motion to Suspend the Rules and Pass, as Amended—"no."

Rollcall 592—H.R. 3409—On Agreeing to the Amendment—"no."

Rollcall 593—H.R. 3409—On Agreeing to the Amendment—"no."

Rollcall 594—H.R. 3409—On Agreeing to the Amendment—"yes."

Rollcall 595—H.R. 3409—On Agreeing to the Amendment—"no."

Rollcall 596—H.R. 3409—On Agreeing to the Amendment—"no."

Rollcall 597—H.R. 3409—On Agreeing to the Amendment—"yes."

Rollcall 598—H.R. 3409—On Agreeing to the Amendment—"no."

Rollcall 599—H.R. 3409—On Agreeing to the Amendment—"no."

Rollcall 600—H.R. 3409—On Agreeing to the Amendment—"yes."

Rollcall 601—H.R. 3409—On Agreeing to the Amendment—"yes."

Rollcall 602—H.R. 3409—On Motion to Recommit with instructions—"no."

Rollcall 603—H.R. 3409—On Passage—"yes."

ADJOURNMENT TO TUESDAY, SEPTEMBER 25, 2012

Mr. McHENRY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Tuesday, September 25, 2012.

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

There was no objection.

VOICE OF TEXAS: PAM FROM LIBERTY, TEXAS

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

Mr. POE of Texas. Mr. Speaker, I have heard from many Texas business owners who built their own business without government help. Here's what Pam from Liberty, Texas, has to say:

> We are college educated, taxpaying citizens who have a lifetime of hard work under our belts. We have stayed up nights trying to figure out how we were going to pay our taxes, insurance, employees, and bank notes. We started from scratch, owning convenience stores, car washes, mini storage businesses, a clothing business, and also operated/owned two small-town movie theaters that were built by my husband's grandparents and parents. The latest is a real estate business.
>
> There's not much that anyone can tell us about the sacrifices that have to be made when you start up your own business. We have done it all, including working full-time jobs for someone else to make ends meet. No government agency has ever helped us with one thing, but the government certainly has made our work harder and more expensive to run/operate our businesses.

Mr. Speaker, people—not the government—make America's businesses successful.

And that's just the way it is.

CONGRESS SHOULD STAY AND WORK

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

Mr. LARSON of Connecticut. Mr. Speaker, one of my constituents wrote very emphatically: How could Congress possibly leave when they know that we the people face the deep, dark abyss of uncertainty—uncertainty about our unemployment, uncertainty about the jobs that we need, the uncertainty that comes when your mortgage is under water, the uncertainty that comes when you know that you have to educate your children, and yet Congress leaves without addressing the basic needs of the people that we're sworn to serve.

For the last week, we've heard an awful lot about work requirements. The primary work requirement that should be asked is of this United States Congress, for it to stay and do the work of the people. There is a jobs bill that's out there. There are tax cuts that can be achieved. Let's stay and do that work.

STAND UP FOR COAL

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

Mr. STUTZMAN. Mr. Speaker, I rise today on behalf of the men and women who have worked tirelessly to make Indiana the best place to do business in the Midwest.

Coal produces the electricity that powers everything from manufacturing mainstays to small business startups. Mr. Speaker, coal-fired electric power plants provided 83 percent of Indiana's net electricity generation in 2011.

Rising energy prices are squeezing small businesses, entrepreneurs, and families. Unfortunately, President Obama's EPA has waged a war on coal. Unelected bureaucrats have proposed a series of sweeping regulations that would destroy jobs and decrease domestic energy production. As a result of Washington's overregulation, the Energy Information Administration expects the pace of coal-fired power plant shutdowns to increase fourfold in the next 5 years.

Today we have an opportunity to stand up for the American coal industry and the families and businesses that rely on the electricity it provides. We can ensure that regulations are sensible and not overbearing. We can make sure that coal keeps lighting homes, stores and factories in Indiana.

CONGRATULATING HOLLIS F. PRICE MIDDLE COLLEGE

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

Mr. COHEN. Mr. Speaker, I want to take this moment to congratulate a high school in my district, the Hollis F. Price Middle College, for receiving the U.S. News & World Report Bronze recognition as one of 2012's Best High Schools in the country.

U.S. News & World Report ranked nearly 22,000 public high schools across the country, and I'm proud that one of Memphis City Schools was recognized. This school was named after the fourth president of LeMoyne-Owen College, an Historically Black College and University in Memphis. Hollis-Price is a collaborative effort between Memphis City Schools and LeMoyne-Owen to improve graduation rates and provide accessibility for students to attend college.

I want to commend Principal Daphne Beasley, all the faculty, and the staff for their hard work and dedication. And surely the students I want to congratulate, too, and their parents on their great achievement. I was proud to speak at their graduation a few years ago. It's a great school. Continue to make Memphis proud.

PUTTING PEOPLE BEFORE POLITICS

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

Mr. DOLD. Mr. Speaker, from day one my focus in Congress has been on